

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

Attorney Arnette read the following statement:

"GOOD EVENING LADIES AND GENTLEMEN. THIS MEETING IS NOW CALLED TO ORDER. IN LINE WITH THE BOROUGH OF SEA BRIGHT'S LONGSTANDING POLICY OF OPEN GOVERNMENT, AND IN COMPLIANCE WITH THE "OPEN PUBLIC MEETINGS ACT", I WISH TO ADVISE YOU THAT ADEQUATE NOTICE OF THIS REGULARLY SCHEDULED MEETING HAS BEEN ADVERTISED IN THE COURIER ON JANUARY 11, 2007 AND POSTED ON THE BULLETIN BOARD IN THE BOROUGH OFFICE. IN EACH INSTANCE, THE DATE, TIME AND LOCATION OF THIS MEETING WERE PROVIDED IN THE NOTICE. THIS MEETING IS OPEN TO THE PUBLIC."

3. ROLL CALL:

Present: Councilmembers, Bills, Fernandes, Keeler, Kelly, Long, Scriven, Mayor Kalaka-Adams, Attorney Arnette, Borough Engineer Hoder, Borough Clerk Smeltzer.

Absent: Chief Financial Officer Bascom.

4. Attorney Arnette called for the Second Reading, by Title Only, of the following Ordinance, which was introduced and approved at the Council Meeting of July 17, 2007. Councilwoman Fernandes moved to approve this Ordinance upon Second Reading.

A.

ORDINANCE NO. 16-2007
A BOND ORDINANCE AMENDING
BOND ORDINANCE NO. 20-2005

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA BRIGHT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Bond Ordinance of the Borough Council of the Borough of Sea Bright, in the County of Monmouth, New Jersey (the "Borough") entitled "Bond Ordinance Providing For The Sand Replenishment Project, Appropriating \$340,000 Therefore And Authorizing The Issuance Of \$323,000 Bonds And Notes To Finance A Portion Of The Costs Thereof, Authorized In And By The Borough Of Sea Bright, In The County Of Monmouth, New Jersey," finally adopted on November 1, 2005 (the "Ordinance") is hereby incorporated by reference in its entirety.

Section 2. The Ordinance is hereby amended by deleting the reference of "\$340,000" for the appropriation and estimated cost and substituting in lieu therefore "570,000".

The second sentence of Section 1 of the Ordinance is hereby amended in its entirety as follows: "For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$570,000, said sum being inclusive of all appropriations heretofore made therefore and including the sum

of (a) \$222,508.37 from the County of Monmouth, (b) \$7,491.63 from the Capital Improvement Fund and (c) \$17,000 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq."

Section 3. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolutions in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This Section 4 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that the Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$323,000.

Section 5. All other provisions of the Ordinance shall remain unchanged.

Section 6. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final adoption as provided by Local Bond Law.

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, Fernandes, Keeler, Kelly Long, Scriven

NAYS: None

ABSTAIN: None

ABSENT: None

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

Councilman Keeler made a motion to approve Ordinance No. 16-2007 on its Third and Final Reading and advertise it according to law. Second by Councilwoman Bills and approved upon the following vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

Attorney Arnette said that Ordinance No. 17-2007 allows Sea Bright's Municipal Court Judge to set a fine up to the statutory maximum based upon violations of Sea Bright's Municipal Code here within the Borough

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

**ORDINANCE NO. 17-2007
AN ORDINANCE AMENDING CHAPTER 1 GENERAL PROVISIONS
SECTION 1-14 GENERAL PENALTY OF THE CODE OF SEA BRIGHT**

and moved the same be approved upon first Reading, held over for Second Reading and Public Hearing to be held on August 21, 2007. Second by Councilwoman Bills and approved upon the following vote:

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

C. Attorney Arnette read by title only and Councilwoman Long introduced an Ordinance entitled.

**ORDINANCE NO. 18-2007
AN ORDINANCE AMENDING CHAPTER 201 VEHICLES AND TRAFFIC
ARTICLE I TRAFFIC AND PARKING
SECTION 7 LOADING ZONES**

and moved the same be approved upon first Reading, held over for Second Reading and Public Hearing to be held on August 21, 2007. Second by Councilwoman Bills and approved upon the following vote:

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

D. Attorney Arnette said that Ordinance 19-2007 is being carried for action at a further date.

**ORDINANCE NO. 19-2007
AN ORDINANCE AUTHORIZING THE INCLUSION OF
CHAPTER 74 BULKHEADS
OF THE CODE OF SEA BRIGHT**

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

Attorney Arnette said that Page 14 of the Council Meeting Minutes of July 17, 2007 was amended and circulated to the Governing Body.

Councilwoman Long requested Item I Resolution No. 153-2007 be removed from the Consent Agenda.

A. Councilman Keeler made a motion to approve the Special Council Meeting Minutes of July 17, 2007. Second by Councilman Scriven and approved upon the following vote:

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

B. Councilman Keeler made a motion to approve the Council Meeting Minutes of July 17, 2007. Second by Councilman Scriven and approved upon the following vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

C. Councilman Keeler made a motion to approve the Sea Bright Fire Department application for Special Permit for Social Affair (Field Day) on Sunday, September 30, 2007. Second by Councilman Scriven and approved upon the following vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

D. Councilman Keeler made a motion to approve the application for 50/50 Raffle License #13-2007 Sea Bright Partnership - Nov. 2, 2007 at the Quay (Library). Second by Councilman Scriven and approved upon the following vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

E. Councilman Keeler made a motion to approve the application for Silent Auction Raffle License #14-2007 Sea Bright Partnership - Nov. 2, 2007 at the Quay (Library.) Second by Councilman Scriven and approved upon the following vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

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

**RESOLUTION NO. 150-2007
PAYMENT OF BILLS 8-7-2007**

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

NOW, THEREFORE, BE IT RESOLVED that these vouchers totaling \$1,151,774.89 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.

00003	ASBURY PARK PRESS					
	07-0856	06/26/07	MUNI CLERK-AD:SRHS MCIA	ORD	OPEN	168.80
	07-0900	07/03/07	MUNI CLERK-ADS:BIDS		OPEN	359.40
	07-0901	07/03/07	MUNI CLERK-ORD 14-2007	DOG/CAT	OPEN	155.84

						684.04
00019	NJ AMERICAN WATER					
	07-1071	08/02/07	JUN 2007 WATER UTILITY		OPEN	1,324.51
00053	SHORE REGIONAL HIGH SCHOOL					
	07-0908	07/05/07	HIGH SCHOOL TAX - AUG 2007		OPEN	152,000.00
00091	DIGIROLAMO, LOUIS					
	07-0979	07/20/07	2007 PYT 8/12 HEALTH INS REIMB		OPEN	1,475.19

00104	LORAY, ROBERT				
	07-0936	07/12/07	DPW-7/11/07 TRAVEL REIMB	OPEN	4.48
00110	MONM CNTY REGIONAL HEALTH				
	07-0485	04/18/07	3/Q/2007 PUBLIC SERVICE HEALTH	OPEN	9,973.50
00119	SEA BRIGHT BOARD OF EDUCATION				
	07-0872	06/27/07	GRADE SCHOOL TAX - AUG 2007	OPEN	72,031.42
00141	MUNICIPAL RECORD SERVICE				
	07-0655	05/16/07	COURT-ATS MAILERS	OPEN	105.00
00161	LOU'S UNIFORMS, INC.				
	07-0771	06/06/07	DPW-UNIFORMS:G.ZORN	OPEN	144.00
	07-0796	06/12/07	DPW-JACKET:ROBERT LORAY	OPEN	78.00

					222.00
00164	RAIN, WILLIAM				
	07-0956	07/16/07	2007 PYT 8/12 HEALTH INS REIMB	OPEN	569.62
00178	UNITED STATES POSTAL SERVICE				
	07-1017	07/25/07	POSTAGE FOR POSTAGE METER	OPEN	2,000.00
	07-1058	07/31/07	POLICE DEPT-METER POSTAGE	OPEN	300.00

					2,300.00
00198	COMCAST				
	07-0955	07/16/07	POLICE-INTERNET:7/20-8/19/07	OPEN	95.00
	07-1067	08/01/07	LIBRARY-INTERNET:7/28-8/27/07	OPEN	99.95
	07-1068	08/01/07	FIRE DEPT-INTERNET:8/5-9/4/07	OPEN	95.00

					289.95
00211	FULL SERVICE WEB SITES, LLC				
	07-0911	07/09/07	A&E-UPDATE BORO WEBSITE	OPEN	90.00
00223	TREASURER, COUNTY OF MONMOUTH				
	07-1060	08/01/07	3/Q/2007 COUNTY TAXES	OPEN	623,087.16
00228	THOMSON WEST/WEST GROUP				
	07-0886	07/02/07	COURT-NJ CODE CRIMINAL JUSTICE	OPEN	70.50
00244	SEA BRIGHT FIRST AID, INC.				
	07-0980	07/20/07	2007 FIRST AID CONTRIBUTION	OPEN	14,000.00
00249	CLARK, DOUGLAS				
	07-0935	07/12/07	DPW-TRAVEL REIMB:7/11/07	OPEN	10.88
	07-1044	07/30/07	DPW-TRAVEL REIMB:7/29/07	OPEN	10.88

					21.76
00258	THUL, JR., CARL				
	07-0944	07/13/07	MUNI CLERK-7/16/07 SERVICES	OPEN	130.00
00270	JOHNSON, KENNETH				
	07-0978	07/19/07	2007 PYT 8/12 HEALTH INS REIMB	OPEN	909.82
00285	STAPLE'S, INC.				
	07-0670	05/18/07	POLICE DEPT-OFFICE SUPPLIES	OPEN	49.70
	07-0699	05/24/07	POLICE DEPT-BROTHER P-TOUCH	OPEN	103.96

					153.66
00289	ROBERT A. HULSART & COMPANY				
	07-0958	07/16/07	SUPP DEBT STMT:SHORE REGIONAL	OPEN	230.00
	07-1029	07/26/07	SUPP DEBT STMT:ORD 12-2007	OPEN	260.00

					490.00
00297	JESSE A. HOWLAND & SONS, INC.				
	07-0973	07/19/07	GARAGE RENT - AUG 2007	OPEN	1,575.00
00302	SEA BRIGHT GULF STATION				
	07-0041	01/23/07	DPW-BLANKET:VEHICLE MAINT	OPEN	29.95
00309	PRECISION LANDSCAPING &				
	07-0438	04/10/07	BLDGS/GRNDS-2007 WEED CONTROL	OPEN	1,125.00
00337	MARINE RESCUE PRODUCTS, INC.				
	07-0867	06/27/07	BEACH-TORP RESCUE BRACKET	OPEN	36.45
00351	MASON, JR., PATRICK				
	07-0763	06/05/07	POLICE DEPT-(7) RADIOS	OPEN	3,601.75
	07-0877	06/28/07	BEACH-RADIO BATTERY	OPEN	38.00

					3,639.75
00354	MONMOUTH CYCLES, INC.				
	07-0749	06/01/07	DPW-HELMET	OPEN	129.99
00377	FIDELITY NAT'L PROP & CASUALTY				
	07-0940	07/12/07	2007 FLOOD INSURANCE RENEWAL	OPEN	8,782.00
00384	AT & T MOBILITY				
	07-1030	07/26/07	DPW 6/15-7/14/07 CELL BILL	OPEN	138.50
00386	GARDEN STATE BATTERY				
	07-0842	06/21/07	FIRE DEPT-(53) BATTERIES	OPEN	297.07
00439	TREASURER, COUNTY OF MONMOUTH				
	07-1061	08/01/07	3/Q/2007 LIBRARY TAXES	OPEN	35,714.16

00487	TERRY GRIBBEN'S TRANSCRIPTION				
	07-0964	07/17/07	COURT-TRANSCRIPT 05/31/07 SESS	OPEN	173.56
00513	A.R. COMMUNICATIONS				
	07-0697	05/24/07	FIRE MARSHAL-INSTALL KNOX BOX	OPEN	300.00
00523	TREASURER, COUNTY OF MONMOUTH				
	07-1062	08/01/07	3/Q/2007 OPEN SPACE TAXES	OPEN	41,187.02
00526	IEI ELECTRONICS, INC.				
	07-0929	07/11/07	POLICE DEPT-VHS/DVD BURNER	OPEN	205.00
00677	GULF OIL, LTD.				
	07-1047	07/30/07	GASOLINE - JULY 2007	OPEN	3,881.92
00788	SCARINCI & HOLLENBECK, LLC				
	07-1066	08/01/07	LEGAL-6/11-7/2/07 SERVICES	OPEN	813.73
00855	THE MONMOUTH JOURNAL				
	07-0881	06/29/07	RECREATION-AD RE:BEACH BASH	OPEN	126.00
00884	BORO OF SEA BRIGHT PETTY CASH				
	07-1016	07/25/07	MULTI DEPTS-REIMB PETTY CASH	OPEN	43.75
00975	SMACK, EDWARD				
	07-0939	07/12/07	2007 PYT 8/12 HEALTH INS REIMB	OPEN	569.62
01027	SHORE BUSINESS SOLUTIONS				
	07-0996	07/24/07	A&E-COPIER STAPLE CARTRIDGES	OPEN	136.40
01062	ALL HANDS FIRE EQUIPMENT, LLC				
	07-0934	07/12/07	FIRE DEPT-BUNKER BOOTS	OPEN	490.00
01112	CMF BUSINESS SUPPLIES, INC.				
	07-0917	07/11/07	10 CARTONS:COPIER PAPER	OPEN	259.90
01117	ROYAL CHEMICAL, INC.				
	07-0894	07/03/07	BLDGS/GRNDS-WEED KILLER	OPEN	322.75
01150	W.W. GRAINGER, INC.				
	07-0919	07/11/07	DPW-2 CASES:TRASH LINERS	OPEN	100.00
01164	WATCHUNG SPRING WATER CO, INC.				
	07-0961	07/16/07	JUL 2007 SPRING WATER	OPEN	421.80
01186	GARDEN STATE SWEEPERS, INC.				
	07-0844	06/21/07	DPW-R&M:RAVO STREET SWEEPER	OPEN	1,669.66
01206	NJ ECONOMIC DEVELOPMENT AUTHOR				
	07-0942	07/13/07	NJEDA LOAN - P & I PAYMENT	OPEN	2,368.13
01209	LANGUAGE SERVICES ASSOCIATES				
	07-0920	07/11/07	COURT-JUN 2007 INTERPRETATION	OPEN	33.60
01217	NJ DIVISION/CONSUMER AFFAIRS				
	07-1063	08/01/07	RECREATION-RAFFLE REPORT FEE	OPEN	40.00
01241	BAIN'S HARDWARE, INC.				
	07-0742	06/01/07	FIRE DEPT-ROAD CONES	OPEN	159.72
	07-0943	07/13/07	JUN 2007 PURCHASES	OPEN	734.92

					894.64
01285	THE HOME DEPOT				
	07-0857	06/26/07	DPW-PALLET:BLACKTOP PATCH	OPEN	472.08
01286	INDUSTRIAL MARINE				
	07-0933	07/12/07	REIMB:6/8-7/9/07 GARAGE ELECTR	OPEN	97.93
01290	QUARTERMASTER UNIFORMS & EQUIP				
	07-0921	07/11/07	POLICE DEPT-JACKETS & PATCHES	OPEN	232.87
01320	DEMAIO, R.N., d/b/a				
	07-0893	07/03/07	BLDGS/GRNDS-15 CASES:TRASH BAG	OPEN	972.90
01358	CAMPBELL SUPPLY CO., INC.				
	07-0870	06/27/07	FIRE DEPT-REPLACE BATT #4377	OPEN	322.64
	07-0953	07/16/07	FIRE DEPT-INSPEC UNIT# 4390	OPEN	2,199.25

					2,521.89
01400	THE ARNETTE LAW FIRM, LLC				
	07-1050	07/31/07	JUN 2007 LEGAL SERVICES	OPEN	5,787.50
01408	AT & T				
	07-1046	07/30/07	COURT-7/18/07 BILL VIDEO CONF	OPEN	29.25
01415	SOFIO, FRANK				
	07-0981	07/20/07	RECREATION-8/3/07 CONCERT	OPEN	400.00
01449	CAG'S CYCLES				
	07-0838	06/20/07	POLICE DEPT-TUNE UP BICYCLES	OPEN	92.95
01470	BARTLETT, CHRISTOPHER				
	07-1042	07/27/07	POLICE-SUBPOENAED TO TESTIFY	OPEN	84.48
01499	MONMOUTH SPRINKLER CO., INC.				
	07-0556	05/02/07	BLDGS/GRNDS-TURN ON SYSTEMS	OPEN	255.00
	07-0892	07/03/07	BLDGS/GRNDS-REPAIR:ROONEY PARK	OPEN	57.00

					312.00
01526	JCP & L				
	07-1069	08/01/07	JUN 2007 ELECTRIC SERVICE	OPEN	12,396.96
01672	UNIFORM HEADQUARTERS, INC.				
	07-0959	07/16/07	POLICE DEPT-PATCHES	OPEN	15.00

01702	WHIRL CONSTRUCTION, INC.			
07-0833	06/19/07 REC-REPAIR SWING SET	OPEN		525.00
01724	SEASIDE MATERIALS, INC.			
07-0791	06/12/07 BEAUTIF-(2) BENCH SECTIONS	OPEN		173.28
07-0850	06/25/07 BEAUTIF-(2) BENCH SECTIONS	OPEN		173.28

				346.56
01780	CDW GOVERNMENT, INC.			
07-0949	07/16/07 A&E-(12) BACK-UP TAPES	OPEN		408.99
01887	HEIM ELECTRONICS, INC.			
07-0969	07/18/07 LIBRARY:8/1-10/31/07 ALARM	OPEN		62.85
07-0970	07/18/07 BORO HALL:8/1-10/31/07 ALARM	OPEN		62.85

				125.70
01925	BORO OF SEA BRIGHT/EE' HEALTH			
07-1054	07/31/07 REPLENISH HEALTH INS FUND	OPEN		5,000.00
01960	VERIZON			
07-0990	07/20/07 LOCAL/LONG DISTANCE-JUL 2007	OPEN		1,672.61
01985	THE MOBILE STORAGE GROUP, INC.			
07-0947	07/16/07 COURT-7/8-8/5/07 TRAILER	OPEN		249.31
07-1032	07/26/07 POLICE-7/18-8/15/07 TRAILER	OPEN		265.00

				514.31
02061	VERIZON WIRELESS			
07-0946	07/16/07 BLDG/FIRE/COURT:7/4-8/3 CELL	OPEN		150.14
07-1033	07/26/07 POLICE:7/16-8/15/07 CELL	OPEN		418.78

				568.92
02071	LAB SAFETY SUPPLY, INC.			
07-0910	07/09/07 SEWER-GLOVES	OPEN		184.18
02177	WALSH, JOAN			
07-1028	07/26/07 LIBRARY-REIMB:7/24 DVDS	OPEN		68.96
02181	GATEWAY PRESS			
07-0730	05/30/07 REC-BUSINESS CARDS:K.MORRIS	OPEN		34.00
07-0918	07/11/07 TAX COLL-4 BOXES:WINDOW ENVS	OPEN		146.00
07-0923	07/11/07 COURT-ENVELOPES & BUS CARDS	OPEN		139.00
07-0945	07/13/07 A&E-PERSONNEL HANDBOOKS	OPEN		580.00
07-0962	07/17/07 MUNI CLERK-ENV/LTRHEAD/PADS	OPEN		610.00
07-0963	07/17/07 TAX COLL-BILL INSERTS/MISC REC	OPEN		89.00

				1,598.00
02187	BOISE'S BUSINESS INTERIORS			
07-0772	06/06/07 LIBRARY-5 CHAIRS	OPEN		588.50
02194	THE COURIER			
07-0001	01/22/07 MUNI CLERK-BLANKET:ADS	OPEN		52.17
07-0948	07/16/07 P/L BOARD-7/12 STORMWATER MGMT	OPEN		7.99

				60.16
AOL (Internet Service: June/July 2007)				\$61.80
BORO OF SEA BRIGHT PAYROLL A/C (7/13/07 P/R)				\$105,843.38
Gowan, Kerry (Animal control) : 4/7-7/7/07				\$350.00
Maser Consulting (Escrow)				\$1,442.50
Monmouth County SPCA (June 2007) Boarding)				\$400.00
NJ DEPT OF LABOR (ANNUAL CIF ASSESSMENT)				\$503.89
NJSHBP (June 2007 Health/RX) Benefit)				\$22,356.13
Red Bank Veterinary (June & July Services)				\$292.13
The Courier (Escrow)				\$9.40
				<u>\$1,151,774.89</u>

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

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

**BOROUGH OF SEA BRIGHT
RESOLUTION NO. 151-2007**

WHEREAS, Dominick DePalo had posted on June 1, 2006 an escrow in the amount \$500.00 for a Street Opening (application number 2005-11).

WHEREAS, the Director of Public Works has inspected the roadwork and advised that the escrow may now be refunded.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby authorize the return of the unused escrow in the amount of \$500.00 to Dominick DePalo, 45 Allen Street, Rumson, NJ 07760.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

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

**RESOLUTION NO. 152-2007
BOROUGH OF SEA BRIGHT
ANNUAL LIBRARY MATERIAL AND MERCHANDISE SALE
AND HARVEST FUNDRAISING DINNER**

WHEREAS, authorization is hereby given to the Library Committee to raise funds for the Jay W. Ross Cultural Arts Center & Library and that all funds raised will be deposited into the Library Trust Fund; and

WHEREAS, there are library materials, i.e., magazines, books, audio tapes, video tapes, and prints owned by the Jay W. Ross Cultural Arts Center and Library as well as materials donated by citizens which are no longer of use and the Library Director has recommended that they be sold; and

WHEREAS, totes have been purchased for resale purposes for this annual sale and the price set for these totes will be \$10.00; and

WHEREAS, the annual bake sale will also take place with prices ranging from \$.50 to \$20.00.

WHEREAS, a fee of \$75.00 per person will be charged for the annual library dinner tickets and the event will be held on November 2, 2007 at the Quay Restaurant; and

WHEREAS, the Mayor and Council authorize the acceptance of the proceeds from the Sea Bright Partnership 50/50 Raffle, License #13-2007 and Silent Auction Raffle, License #14-2007.

NOW THEREFORE BE IT RESOLVED that authorization is given by the Mayor and Council of the Borough of Sea Bright to the Library to conduct these events.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

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

**RESOLUTION NO.156-2007
BOROUGH OF SEA BRIGHT**

WHEREAS, there exists a need to amend the salary of a Beach Employee for the 2007 season.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Sea Bright. County of Monmouth, that the following person shall receive the hourly rate of pay as specified after his name:

LIFEGUARD

John Forrester

\$8.50

CERTIFICATION

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in the Beach Utility appropriation of the purpose stated in the above resolution.

Michael J. Bascom, CFO

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

K. Councilman Keeler made a motion to approve the application for Application for Off-Premise Raffle License #15-2007 Alyssa's Angels- August 15, 2007 at McLoone's. Second by Councilman Scriven adopted upon the following roll call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

Councilwoman Long requested that Resolution No. 153-2007 be removed from the Consent Agenda so that the Governing Body may vote separately on this issue. The bill was by State Assemblywoman Jennifer Beck extending polling place hours to 9:00 PM. The pending resolution opposes Assemblywoman Beck's bill.

I. Councilwoman Fernandes introduced and offered for adoption the following resolution:

**RESOLUTION NO. 153-2007
BOROUGH OF SEA BRIGHT
OPPOSING ASSEMBLY BILL NO. 3959**

WHEREAS, Assembly Bill No. 3959 was introduced by Assemblywoman Jennifer Beck, District 12, (Mercer and Monmouth), and;

WHEREAS, said Bill will expand polling place hours by one hour in the evening for primary and general elections, and;

WHEREAS, said legislation, if passed, would create another undo hardship on the election process in trying to recruit election board workers to work the long hours on Election Day. As it exists now, to add another hour would be ludicrous, especially during the primary elections, due to the small volume of voters at the polls on Primary Election Day, and;

WHEREAS, the Borough of Sea Bright has seen board workers from other municipalities filling in the gap at the polls due to lack of board workers from Sea Bright, this always creates a problem as some districts do not have the required board workers for that district, and;

WHEREAS, the election laws of the State of New Jersey have made it much easier for a voter to vote an absentee ballot, therefore cutting down on the volume at the polling place, and;

WHEREAS, unless this Assembly Bill as introduced by our legislators can prove to be an advantage to the voters of the State of New Jersey, by extending the Election Day hours by one extra evening hour, they should not vote in favor of this Assembly Bill.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright that they strongly oppose Assembly Bill No. 3959, and urge our legislative representatives to not vote in favor of said Assembly Bill No. 3959.

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to:

Honorable Joseph A. Palaia, State Senator
Honorable Steve Corodemus, State Assemblyman
Honorable Steve T. Kean, State Assemblyman
Honorable Jennifer Beck, State Assemblywoman
The Municipal Clerks' Association of New Jersey, Inc.
The Monmouth County Board of Elections
The Monmouth County Clerk

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

AYES: Bills, Fernandes, Keeler, Kelly, Scriven

NAYS: Long

ABSTAIN: None

ABSENT: None

6. OLD BUSINESS:

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

**RESOLUTION NO. 116F-2007
BOROUGH OF SEA BRIGHT**

BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, New Jersey, that the Application of the following for a **PLENARY RETAIL CONSUMPTION LICENSE** was received, and the license granted, to the following person and/or corporation at the address herein noted to sell liquors, and the Clerk of the Borough is authorized to issue and deliver such license.

BE IT FURTHER RESOLVED that the Director of the Division of Alcoholic Beverage Control has granted on July 18, 2007 a Special Ruling to permit the renewal of the following Plenary Retail Consumption License for the licensing years 2007-2008 and 2008-2009.

<u>PLENARY RETAIL CONSUMPTION LICENSE:</u>	<u>FEE FOR RENEWAL:</u>
<u>\$2,400.00</u>	
1343-33-017-005	TWBC III Incorporated
Esquire	c/o Frank Mandia,
	685 Neptune Blvd.
	Neptune, NJ 07753

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

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

7. NEW BUSINESS:

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

**RESOLUTION NO. 154-2007
BOROUGH OF SEA BRIGHT
AMENDING RESOLUTION NO. 126-2007
CHANGE ORDER NO. 1 FOR AWARD OF FLOOD PUMPS CONTRACT**

WHEREAS, a change order is required to the original flood pump contract cost. The description for this change order is that additional components (control panels, screens, hose clamps and fittings) are needed to make the pumps operable thereby **increasing** the contract by an amount by not to exceed \$5,300.00 from **\$63,000.00 to \$68,300.00.**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright that the contract for Flood Pumps which was previously awarded to:

**GODWIN PUMPS
One Floodgate Road
Bridgeport, NJ 08014**

on June 19, 2007 be amended and that Change Order No. 1 be allowed for an **increase** in the contract by an amount not to exceed \$5,300.00

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in Bond Ordinance 9-2005 for the purpose stated herein.

MICHAEL J. BASCOM, CFO

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

B. Councilwoman Fernandes introduced and offered for adoption the following Resolution:

**RESOLUTION NO. 155-2007
BOROUGH OF SEA BRIGHT**

WHEREAS, the Mayor and Council of the Borough of Sea Bright are in need of Professional Engineering and Construction associated with the preparation of the New Jersey Department of Transportation Local Aid Application for 2008 reconstruction of Normandie Place and Beach Way; 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 in an amount not to exceed \$1,200.00; and

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 sign the 2008 NJDOT Local Aid Application Grant.

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 Councilwoman Bills and adopted upon the following roll call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

C. Discussion: Salt Storage. Councilwoman Fernandes asked Mayor Kalaka-Adams for an update regarding sharing Salt Storage with Monmouth Beach. Mayor Kalaka-Adams said that Monmouth Beach is waiting on its final numbers and the facility is in place

now. Attorney Arnette said that a contract would be drawn up for the inter-local service agreement.

D. Councilwoman Fernandes introduced and offered for adoption the following resolution:

**RESOLUTION NO. 157-2007
BOROUGH OF SEA BRIGHT**

WHEREAS, the Governing Body of the Borough of Sea Bright desire to further the public interest by obtaining a grant from the 2008 NJDOT Local Municipal Aid for the Normandie Place and Beach Way Improvement Project in the approximate amount of \$296,000.00 which application is attached hereto; and

NOW, THEREFORE, BE IT RESOLVED by the Governing body of the borough of Sea Bright that Mayor Jo-Ann Kalaka-Adams or the Council President, William J. Keeler, is authorized to make application for such a grant and if awarded to execute a grant agreement with the State.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

E. **Resolution No. 160-2007** authorizing architectural services for the evaluation of municipal buildings was carried.

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

RESOLUTION NO. 161-2007

A RESOLUTION OF THE BOROUGH OF SEA BRIGHT, NEW JERSEY, APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE AND AGREEMENT WITH THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY TO FINANCE THE ACQUISITION OF CERTAIN CAPITAL EQUIPMENT WHICH WILL BE LEASED BY THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY TO THE BOROUGH OF SEA BRIGHT, NEW JERSEY; APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LETTER OF REPRESENTATION AND A CONTINUING DISCLOSURE AGREEMENT IN CONNECTION WITH THE ISSUANCE AND DELIVERY OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY'S CAPITAL EQUIPMENT POOLED LEASE REVENUE BONDS, SERIES 2007 AND AUTHORIZING AN AUTHORIZED MUNICIPAL REPRESENTATIVE TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS.

WHEREAS, the Borough of Sea Bright, New Jersey (the "Municipality") desires to lease and permanently finance the cost of acquisition of certain capital equipment (the "Equipment") from The Monmouth County Improvement Authority (the "Authority"); and

WHEREAS, the Authority will provide for the financing of the cost of the acquisition of the Equipment by the issuance of its Capital Equipment Lease Revenue Bonds, Series 2007 (Sea Bright Project) in an aggregate principal amount not to exceed \$925,000 (the "Bonds") payable from rentals by the Municipality pursuant to a lease and agreement by and between the Municipality and the Authority; and

WHEREAS, Municipality and the County of Monmouth, New Jersey, will each unconditionally and irrevocably guaranty the punctual payment of the principal of and the interest on the Bonds; and

WHEREAS, there have been prepared and submitted to the Municipality forms of: (a) a Lease and Agreement by and between the Municipality and the Authority, to be dated as of August 1, 2007 (the "Agreement"), attached hereto as Exhibit A; and (b) a Letter of Representation, to be dated the date of delivery of the Bonds (the "Letter of Representation"), attached hereto as Exhibit B; and

WHEREAS, there has been prepared and submitted to the Municipality a Continuing Disclosure Agreement in the form appended hereto as Exhibit B for execution by the Municipality if the Authority shall determine that the Municipality is or will be an "obligated person" with respect to the Authority's Capital Equipment Lease Revenue Bonds, Series 2007 within the meaning of Rule 15c2-12 of the United States Securities and Exchange Commission (an "Obligated Person");

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH OF SEA BRIGHT, NEW JERSEY, AS FOLLOWS:

Section 1. That the Agreement, in substantially the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative (as that term is defined in the Agreement) is hereby authorized to, and one of such officers shall, execute the Agreement, with such additions, deletions or modifications as such officer shall approve, and to deliver the same to the Authority, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 2. That the Letter of Representation, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative is hereby authorized to, and one of such officers shall execute the Letter of Representation, with such additions, deletions or modifications as such officer shall approve, and to deliver the same to the addressees designated on such Letter of Representation, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 3. That the Continuing Disclosure Agreement, in the form presented to this meeting, be and the same is hereby approved, and any Authorized Municipal Representative is hereby authorized to, and one of such officers shall execute the Continuing Disclosure Agreement, with such additions, deletions or modifications as such officer shall approve, and to deliver the same upon the determination by the Authority that the Municipality is or will be an Obligated Person, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 4. That any Authorized Municipal Representative is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for the execution and delivery of the Agreement and for carrying out the sale, issuance and delivery of the Bonds, the Authority's Capital Equipment Pooled Lease Revenue Bonds, Series 2007 and all related transactions contemplated by this resolution.

Section 5. All resolutions or proceedings, or parts thereof, in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed

Section 6. This resolution shall become effective immediately.
Dated: August 7, 2007.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

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

**RESOLUTION NO. 158-2007
BOROUGH OF SEA BRIGHT**

WHEREAS, the Mayor and Council of the Borough of Sea Bright are in need of Professional Engineering Services associated with the preparation of the 2008 Monmouth County Open Space Grant Application; 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 in an amount not to exceed \$1,200.00; and

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 sign the 2008 Monmouth County Open Space Grant Application.

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 Councilwoman Long and adopted upon the following roll call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

H1. Discussion: Donovan's, 1171 Ocean Avenue property purchase. Councilman Keeler said that there would be discussion regarding Resolution No. 159-2007 authorizing a committee to negotiate a price for the purchase of Donovan's property. The asking price for the property is 4.5 million dollars.

The Borough of Sea Bright hired an appraiser who has submitted his report. The Governing Body was advised by legal counsel not to disclose the appraisal amount until we have reached negotiations.

Councilman Keeler said that purchasing Donovan's property would improve the quality of life for Sea Bright's residents most especially to those who live in the downtown area, which is approximately a third of Sea Bright's population. Secondly, the municipal facilities drastically is in need of an upgrade to comply with the new standards that are being applied to all municipalities. The Smart Growth evaluation reported that the current Borough building would be appropriate to remain as Borough Hall with upgrades. Sea Bright has come to rely on Donovan's property for additional parking for public meetings, planning board meetings, and court sessions. Donovan's owners have been good neighbors and have allowed the Borough and its residents to use their property during flooding and snowstorms when the side streets pose a hazard.

Councilman Keeler said that the estimated cost from the Smart Growth study report showed that the renovations to Borough Hall and Court facilities would cost approximately \$500,000 to \$550,000. Building a new Borough facility at the Municipal Parking lot would be about \$2.5 million dollar. Councilman Keeler said that keeping the Borough facility at its current location would be more than adequate with renovations and the cost factor would be significant. Thirdly, there is a need to create a source of non-taxed based revenues. All of Sea Bright's significant revenues come from taxes. The possibility of significant and on going revenues would be a Beach Pool Club operated by the Borough, such as in the cases in Monmouth Beach and Allenhurst.

Councilman Keeler said that the litigation between Sea Bright and the NJ Attorney General's office raised issues of municipal control over ocean front property. We thought that this entire matter was resolved when we signed the beach replenishment program during the early 1990's. All the questions regarding public beach access and the adequacy of access in Sea Bright were discussed and that was the agreement. Sea Bright purchased the Peninsula House property without bonding at a cost of 1.3 million dollars. That was to satisfy the public beach access-parking problem. Also, the Beach Clubs were to be considered a quasi-public beach access as 99% of the beach club membership are non-Sea Bright residents, and therefore in the DEP's view that was a form of legitimate public access. In recent months, there have been changes with the DEP and NJ Attorney General's views and interpretation of that agreement.

Councilman Keeler said that a Beach Pool Club would prove to be a successful enterprise for it would generate significant sums of money to the general tax revenues. Money we received for beach fees do not go into general tax revenues but into a Beach Utility Fund, which is used to maintain the beach. Monmouth Beach's Pool Club makes a profit of \$200,000 to \$250,000 and Allenhurst's Beach Club makes close to a million dollars. Sea Bright's revenue projection would be approximately \$500,000. However, as it stands the location for the Beach Club would be at the Municipal Parking lot. Should we put a new Borough Hall, Police Station and Public Works facility on Municipal Parking lot the DEP may oppose the additional construction because of the issue of public beach access.

Councilman Keeler said that the Donovan's property provides Sea Bright with over eighty parking spaces that could be used to offset any plans for the Municipal Lot. The property would give us a good argument going into court, for it would show that we

did not deprive anyone of public beach access. It would be additional parking and an area slotted for a Beach Pool Club.

Councilman Keeler said that adequate parking would be quality of life offering additional spaces available to the public, especially when the side streets flood or when there is a snowstorm. Parking is a problem in the downtown southern area. The northern end has access to the main Municipal Parking lot.

Councilman Keeler said that another element of quality of life is the noise factor. Donovan's has been a very good neighbor but because of the nature of the business there is night time activity, live entertainment and people complain about the noise. If the Borough purchased Donovan's property that would eliminate the noise factor.

Councilman Keeler said that the asking price is \$4.5 million. We would be negotiating for a lower price. The vote tonight is not about purchasing the property it is about negotiating. Councilman Keeler said that he did not want to minimize that this was an expensive proposition but, to look toward the future as a step for a Beach and Pool Club that would generate \$500,000 annually toward the general tax revenue. It would be well worth pursuing negotiations and see what the actual dollar amount would be.

Councilwoman Fernandes said that this would be an unnecessary expense to buy Donovan's. In the past the discussions have lead her to believe that after buying Donovan's property the Borough would lease out the site to continue as Donovan's. Tonight Councilman Keeler said that the property could be utilized as parking and a Beach Club down the road. She said that a feasibility study has not been done to speak intelligently on this project and because of that lack of information we are dealing strictly with unknowns. The Peninsula House Lot was purchased for public beach access and that satisfied the DEP. Ten to fifteen years later the DEP is now renegeing with Sea Bright's contract.

Councilwoman Long said that Donovan's property asking price is \$4.5 million dollars and the assessed price is \$1.1 million. Buying Donovan's would require the Borough to take a bond costing about \$350,000 a year for the Borough, which would amount to a seven-cent increase in property taxes. This would be before the annual municipal increase, the Shore Regional increase and Sea Bright Board of Education. If your house assessment was at \$400,000 the tax to the taxpayer would be \$300 annually for the next thirty years on your tax bill. You would be losing your rateable.

Councilwoman Long said that the first advantage of the purchase would be that it would create additional open space in the Borough. There exists fifteen acres of open space on the Beachfront. It would create additional parking with over eighty parking spaces. But, we would be paying \$4 million dollars for the parking space at about five grand each.

Purchasing Donovan's would add more public beach access and it would expand the Municipal Beach as long as you keep it exactly as it is. There are seventy-seven beach days for the beach to be open. The Municipal Parking lot closed only ten times because it was full to capacity. The Peninsula House lot sits vacant all week long.

Should we purchase Donovan's it would allow for sufficient space for the Borough Hall to stay at its current location. The Borough relies on Donovan's for parking. But, referring back to Smart Growth report there were three proposals for Sea Bright. One of them was leaving Borough Hall here, two other proposals involved moving Borough Hall to the Municipal Parking lot and consolidating all the services in one spot. Should Borough Hall be renovated it would cost over a half of million dollars versus building a new Borough Hall at three million dollars on top of paying four million dollars for Donovan's property. Or we could look at four million dollars for the property plus half a million for the renovation of the current Borough facility.

Councilwoman Long said that it is true the DEP has taken an adversarial approach toward Sea Bright and are trying to restrict the Peninsula House lot for beach access parking only. DEP has not tried to restrict the Municipal Lot and there is 6.2 acres of the Municipal Lot we could utilize.

Councilwoman Long said to build and maintain a Pool Club and to have the taxpayers absorb the cost for the next thirty years does not make sense. Furthermore, the DEP's position on beach access is to promote beach access and enhance services at the beaches. A Beach side pool that opens to the public on a daily fee basis is considered an enhancement to the Beach, particularly if we could make up the parking spots. The Borough Engineer did a proposal two years ago showing how the Municipal Parking Lot could be reconfigured to net another thirty spaces and they have not even looked at the Peninsula House Lot yet.

Councilwoman Long said that she is the chairperson for the police committee. The number of complaints that we received regarding Donovan's is a fraction of the total complaints that we actual get about the businesses in Sea Bright. Most of the quality of life complaints that we get are coming from Madhatter, Elements and beach clubs like the Surfrider. Furthermore, one likely scenario if the Borough does not buy Donovan's is that developer would create private homes. The quality of life issue does not exist anymore. The quality of life is only an issue with Donovan's as long as it remains a nightclub. It has been argued that the elimination of Donovan's would allow us to reduce the size of our Police force. Safety and quality of life concerns would still exist and this would not impact the size of our police force.

Councilwoman Long said that it was argued that the purchase would reduce our tax burden regarding Shore Regional. Buying Donovan's would be taking a four million dollar property off the tax roles reducing the total value of Sea Bright's property. But, the formula is not directly like that and there is no guarantee that taking Donovan's off is going to reduce our share of Shore Regional's budget. The total student population is another factor that determines how much we pay not just the value of our property. Buying Donovan's will save one to two cents in school tax.

Councilwoman Long said that her main objection was that there was no plan presented for this property. There were no opportunities to discuss issues regarding other Borough owned properties. At best, buying Donovan's gives Sea Bright the opportunity of keeping its options open and reserving eighty-two parking spaces but it would cost over four million dollars.

Councilwoman Long said that this land purchase offers a wrong priority for Sea Bright. It ignores the flood control problems, beachfront enhancement, public bathrooms that are in trailers, inadequate public safety facility and a borough hall that is comprised partly of a trailer.

Councilwoman Long asked the council to reconsider this proposal before they voted.

Councilman Scriven said that he opposed the purchase of Donovan's. Monmouth Beach had a problem refurbishing their Beach Club and it also did not pass. This is an issue of a purchase costing four million not including the interest. He said that as a taxpayer he didn't like this plan at all.

Mayor Kalaka-Adams said that this is about opportunities. Years ago, the school property was offered to us for one dollar and we turned that down. We were offered the Tradewinds property for five million dollars and we turned it down. Looking back at that time it seemed to be a lot of money, five million dollars but the property was sold for about 50 or 60 million dollars.

Mayor Kalaka-Adams said that we should look at this property and make an offer then return for a vote. She said that the Mayor of Monmouth Beach said they were getting \$585,000 from their Beach Club and the revenue offsets their taxes by almost \$200,000. She recommended moving forward with negotiations. We have the best interests of the town at heart.

Councilman Kelly said that Councilwoman Long said there would be a seven-cent tax increase. She said the Town would save two million dollars by keeping the Borough Hall where it is and that there would be a school tax savings by roughly one or two cents. Economically speaking combining those two alone would chip away the seven-cent increase. He said that it would be an intelligent decision to negotiate and follow through to see what we could get the property for. This is a revenue generating proposal and it would be a great investment for the town. Once it is sold to a developer and it becomes residential it is gone forever.

Councilwoman Fernandes said that we still have dilapidated buildings and that is just part of the cost. Not including the 4.5 million there is one million dollars to get these buildings up and running and that is a conservative number. Police headquarter alone would cost one million dollars and we have not even mention the costs for the Borough Hall and court facility. She said there have been numerous calls inquiring into purchasing Donovan's for commercial purposes. The parking might very well stay in place with future owners. We are all making assumptions but there are no firm commitments one way or the other.

Councilwoman Bills said that the purchase of the land would not only provide additional local space and beach access but the boardwalk could be extended from Chapel Beach to Donovan's. It would create an additional community environment for residents and visitors. Whether we use the land for business or recreation, the opportunity for income is there. We are not talking about buying this land now but to go out and negotiate. The Recreation Committee is in the process of planning a skate park and a unique boardwalk for all ages. It would enhance the

atmosphere of Sea Bright as a wonderful place to visit, shop and live. This is an opportunity that we should consider.

Councilman Keeler made a motion to open the meeting for public discussion. Second by Councilwoman Long and approved by unanimous voice vote.

Janice Dimarco of 406 Ocean Avenue said that the sewer rates have gone up and she does not want to pay another \$350 for taxes. She said the town should pass on purchasing Donovan's property.

Ruth Blazer 488 Ocean Avenue said Sea Bright has become Staten Island at the shore and it is over built and it is more important to take care of Sea Bright's infrastructure

Ed Bannon of 6 Surf Street said that the Allied lot should be condemned and the town should take that land instead. Is the Council going to take Donovan's property with eminent domain?

C. Read Murphy 6 Center Street said that we could build a Pool Club at the Peninsula House lot. We should look into Senior Housing. We should work together, this should not be a fight. Develop the piece of land that Sea Bright has sat on for over twenty years.

Barbara Turback of 22 Island View Way said that she is Co-Chairperson of the Sea Bright Recreation Committee and that Donovan's purchase would be an asset. She said that Sea Bright is not a destination town like Pier Village in Long Branch rather it is a drive through town especially if Donovan's is closed.

Jim Forsman of 10E Church Street said that the Borough buildings have to be brought up to safety code. He said that he thinks that the Mayor and Council should explore the possibilities of purchasing the property.

Mr. Greenwald of 42 Church Street said that he thinks that this would be a burden to purchase the property and to look at other options. Nothing has been done with the Smart Growth plan. The Town should move on the property that we own and make the parking spaces better.

Leonard Cuozzo of Island View Way said during his twenty years in Sea Bright very little has been done. We are strangled by school taxes and we will never get from under that. He said he was against the purchase of more property.

Leslie Lang 1566 Ocean Avenue asked why purchase Donovan's property?

Joan Osgoodby said that if the purchased property is handled as a profitable enterprise with the possibility of a half million dollars revenue a year it would help in decreasing our taxes. Opportunity is knocking and we should consider negotiations and if we indeed decide to purchase it there should be a strong business plan before the purchase.

Vincent Jiovino said that he has been a developer for years and has experience dealing with the DEP. The Governing Body should meet with the DEP because what they say today may change

tomorrow. He said he would volunteer his time to go over the business aspects.

Amy Kelly of 672 Ocean Avenue wanted to set the record correctly by saying that there has been only two residents of the whole population of Sea Bright who have complained about her family's business, The Madhatter.

Councilman Scriven made a motion to close the meeting for public discussion. Second by Councilman Kelly and approved by unanimous voice vote.

H2. Councilman Keeler introduced and offered for adoption the following resolution:

**RESOLUTION NO. 159-2007
BOROUGH OF SEA BRIGHT**

BE IT RESOLVED that the Mayor and Council of the Borough of Sea Bright hereby agree to enter into negotiations regarding the purchase of land located at 1171 Ocean Avenue, Sea Bright, NJ.

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

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

NAYS: Fernandes, Long, Scriven

ABSTAIN: None

ABSENT: None

Councilwoman Fernandes made a motion to authorize Engineer Hoder to go out to bid for a generator for Sea Bright's Police Department. Second by Councilwoman Long and adopted upon the following roll call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

8. CORRESPONDENCE AND COMMUNICATIONS:

A. Monmouth County Regional Health Commission minutes of April 18, 2007.

B. Construction Department June 2007 Monthly Report.

C. Sea Bright Planning/Zoning Board minutes of June 12, 2007.

D. Sea Bright Planning/Zoning Board minutes of June 26, 2007.

E. Code Enforcement Report for June 2007.

F. Director of Public Works June 2007 Monthly Report.

G. Tax Collector's Affidavit of Tax Bill Mailing.

H. Letter from NJ Natural Gas regarding involuntary disconnected customer information.

I. Monmouth County Regional Board of Health satisfactory inspection report for Sea Bright Beach Operations.

9. REMARKS FROM THE AUDIENCE: None

10. ADJOURNMENT: There being no further business before the Governing Body. Councilman Scriven made a motion to adjourn the meeting at 8:30 P.M. Second by Councilwoman Bills and approved upon unanimous voice vote.

Respectfully Submitted,

Maryann M. Smeltzer
Municipal Clerk