

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

Mayor Fernandes requested a moment of silence for long time resident Victor V. Vinegra who passed away at the Veterans Home at the age of 92. Margaret Phillips the mother of Peggy Gatto passed away on August 30<sup>th</sup>. She was 100 years old.

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 COURIER ON JANUARY 10, 2008 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 Keeler, Kelly, Long, Markson, Scriven, Mayor Fernandes, Attorney Arnette, Chief Financial Officer Bascom, Borough Engineer Hoder, Borough Clerk Smeltzer.

**ABSENT:** Councilmember Bills

**4.** Attorney Arnette stated that the Second Reading/Public Hearing for Ordinance 7-2008 is to be held on September 16, 2008.

**A.**

**ORDINANCE NO. 7-2008**  
**AN ORDINANCE AMENDING CHAPTER 130 LAND USE**  
**ARTICLE XIII FEES, SECTION 130-81 PARAGRAPH E**

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

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

**RESOLUTION NO. 162-2008**  
**PAYMENT OF BILLS 09/02/2008**

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

**NOW, THEREFORE, BE IT RESOLVED,** that these vouchers totaling \$ 462,881.86 are to be paid; and

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

00015	LANIGAN ASSOCIATES, INC.			
08-0698	06/03/08	POLICE DEPT-BODY ARMOR	OPEN	588.00
00019	NJ AMERICAN WATER			
08-1066	08/19/08	JUL 2008 WATER UTILITY	OPEN	1,972.02
00053	SHORE REGIONAL HIGH SCHOOL			
08-1045	08/15/08	HIGH SCHOOL TAX - SEP 2008	OPEN	182,200.00
00063	CHESAPEAKE EXTERMINATING CO.			
08-1119	08/25/08	BLDGS/GRNDS-JUL 2008 EXTERM	OPEN	25.00
00077	FLEET SERVICES			
08-1132	08/25/08	GASOLINE - AUG 2008	OPEN	2,088.15
00091	DIGIROLAMO, LOUIS			
08-1039	08/15/08	2008 PYMT 09/12 HEALTH REIMB	OPEN	1,638.82
00119	SEA BRIGHT BOARD OF EDUCATION			
08-0915	07/22/08	GRADE SCHOOL TAX - SEP 2008	OPEN	74,912.67
00141	MUNICIPAL RECORD SERVICE			
08-0980	08/04/08	COURT-TRAFFIC TICKETS	OPEN	300.00
00163	OSWALD ENTERPRISES, INC.			
08-1006	08/12/08	SEWER-CLEAR BLOCKAGE:E.OCEAN	OPEN	500.00
00164	RAIN, WILLIAM			
08-1040	08/15/08	2008 PYMT 09/12 HEALTH REIMB	OPEN	660.81
00178	UNITED STATES POSTAL SERVICE			
08-1116	08/22/08	POLICE DEPT-METER POSTAGE	OPEN	500.00
00198	COMCAST			
08-1060	08/15/08	POLICE DEPT-INTERNET:AUG 2008	OPEN	95.00
08-1138	08/26/08	FIRE DEPT-INTERNET:SEP 2008	OPEN	95.00
				-----
				190.00
00230	CERTIFIED SPEEDOMETER			
08-0063	01/18/08	POLICE DEPT-CALIBRATE VEHICLES	OPEN	144.00
00244	SEA BRIGHT FIRST AID, INC.			
08-1044	08/15/08	2008 FIRST AID CONTRIBUTION	OPEN	12,500.00
00270	JOHNSON, KENNETH			
08-1041	08/15/08	2008 PYMT 09/12 HEALTH REIMB	OPEN	948.13
00285	STAPLE'S, INC.			
08-0928	07/28/08	POLICE DEPT-PRINTER CARTRIDGES	OPEN	663.14
08-0979	08/06/08	POLICE DEPT-OFFICE SUPPLIES	OPEN	230.12
				-----
				893.26
00297	JESSE A. HOWLAND & SONS, INC.			
08-0917	07/22/08	GARAGE RENT - SEP 2008	OPEN	1,654.00
08-0919	07/22/08	DPW-ADDT'L GARAGE RENT-SEP'08	OPEN	833.00
				-----
				2,487.00
00339	NAPA AUTO PARTS			
08-1067	08/19/08	FIRE DEPT-(2) BULBS FOR TRUCK	OPEN	25.98
00384	AT & T MOBILITY			
08-1125	08/25/08	DPW-AUG 2008 CELL BILL	OPEN	138.06
00396	AMERICAN RED CROSS			
08-1033	08/15/08	BEACH-CPR/FIRST AID TRAINING	OPEN	85.00
00502	NJ STATE LEAGUE/MUNICIPALITIES			
08-1034	08/15/08	LEAGUE CONFERENCE REGISTRATION	OPEN	180.00
00885	OCEAN TWP FIRE DISTRICT NO. 2			
08-1042	08/15/08	FIRE OFFICIAL-3/Q/2008 VEHICLE	OPEN	150.00
00975	SMACK, EDWARD			
08-1038	08/15/08	2008 PYMT 09/12 HEALTH REIMB	OPEN	660.81
01026	SEA BRIGHT PARTNERSHIP			
08-0843	07/07/08	RECREATION-RAFFLE 5% FEE	OPEN	76.50
01027	SHORE BUSINESS SOLUTIONS			
08-1057	08/15/08	COPIER MAINT #2/4-BORO HALL	OPEN	662.36
01075	DESIGN IDEA GROUP ARCHITECTURE			
08-0291	03/05/08	BEACH-SCHEMATIC DESIGN	OPEN	6,841.50
01150	W.W. GRAINGER, INC.			
08-0588	05/07/08	DPW-DEODORIZER/COOLER/GATORADE	OPEN	235.08
08-1023	08/14/08	BLDGS/GRNDS-TRASH LINERS	OPEN	546.00
				-----
				781.08
01229	MCGRUFF HOUSE NETWORK			
08-1062	08/18/08	POLICE DEPT-SAFE KIDS ID KITS	OPEN	297.50
01230	STAPLE'S, OFFICE SUPERSTORE			
08-1072	08/20/08	DPW-INK CART, ERASERS, LEAD	OPEN	32.27
01241	BAIN'S HARDWARE, INC.			
08-1013	08/12/08	JUL 2008 PURCHASES	OPEN	627.13
01248	HUEGEL, RICHARD			
08-1145	08/27/08	POLICE DEPT-REIMB:REFRESHMENTS	OPEN	23.89
01285	THE HOME DEPOT			
08-0617	05/19/08	BLDGS/GRNDS-BLANKET:MISC SUPP	OPEN	23.91

01286	INDUSTRIAL MARINE				
08-1007	08/12/08	REIMB:07/08-08/05	GARAGE ELECT	OPEN	112.36
01288	FISLER, CHRISTOPHER				
08-1130	08/25/08	POLICE DEPT-TOLL REIMB:8/13/08		OPEN	4.95
08-1135	08/26/08	POLICE DEPT-REIMB:REFRESHMENTS		OPEN	22.39
01320	DEMAIO, R.N.				
08-0959	07/30/08	BEACH-BLANKET:JANITORIAL SUPP		OPEN	297.78
01327	JOLLY MON'S WATER SPORTS, INC.				
08-1029	08/14/08	REC-8/26 WATER SPORTS PROGRAM		OPEN	800.00
01354	WOYCE, STEVEN	t/a			
08-0710	06/06/08	LIBRARY-8/20/08 PROGRAM		OPEN	234.00
01400	THE ARNETTE LAW FIRM, LLC				
08-0789	06/23/08	LEGAL-RETAINER:SEP 2008		OPEN	312.50
08-1141	08/26/08	AUG 2008 LEGAL SERVICES		OPEN	4,387.50
					-----
					4,700.00
01408	AT & T				
08-1127	08/25/08	COURT-08/18/08 BILL VIDEO CONF		OPEN	29.38
01469	JULIAN'S ICE COMPANY				
08-0675	05/28/08	RECREATION-ICE:6/14 BEACH BASH		OPEN	115.00
01507	SZAFERMAN & LAKIND, P.C.				
08-1027	08/14/08	LEGAL-SERV RE:HIGHLANDS BRIDGE		OPEN	8,650.87
01526	JCP & L				
08-1139	08/26/08	JUL 2008 ELECTRIC SERVICE		OPEN	9,136.94
01565	BOROUGH OF SEA BRIGHT				
08-1142	08/26/08	T/F ADMIN FEE:08/29/08 PAYROLL		OPEN	20.00
08-1143	08/26/08	T/F ADMIN FEE:08/29/08 PAYROLL		OPEN	2,358.00
					-----
					2,378.00
01658	SEASHORE DAY CAMP & SCHOOL				
08-0861	07/15/08	RECREATION-BUS TRIPS		OPEN	950.00
01702	WHIRL CONSTRUCTION, INC.				
08-0582	05/06/08	REC-INSTALL PLAYGROUND EQUIP		OPEN	3,350.00
01801	MASER CONSULTING, P.A.				
08-0783	06/23/08	ENGINEERING-RETAINER:SEP 2008		OPEN	250.00
01828	UNITED PARCEL SERVICE				
08-1134	08/26/08	POLICE DEPT-SHIPPING CHARGE		OPEN	207.91
01887	HEIM ELECTRONICS, INC.				
08-1020	08/13/08	BLDGS/GRNDS-DELETE T.CARUSO		OPEN	20.00
08-1080	08/21/08	BLDGS/GRNDS-FIRE ALARM INSPEC		OPEN	216.00
					-----
					236.00
01960	VERIZON				
08-1126	08/25/08	LOCAL/LONG DISTANCE-JUL 2008		OPEN	1,647.84
01974	BOROUGH OF SEA BRIGHT COURT				
08-1088	08/21/08	COURT-07/08 CREDIT CARD REIMB		OPEN	275.12
01985	THE MOBILE STORAGE GROUP, INC.				
08-1048	08/15/08	POLICE-TRAILER 2008 PYMT 09/13		OPEN	265.00
02008	E.J. SCHUSTER'S OFFICE SUPPLY				
08-1002	08/08/08	MULTI DEPTS-OFFICE SUPPLIES		OPEN	389.29
02061	VERIZON WIRELESS				
08-1131	08/25/08	POLICE:8/16-9/15/08 CELL BILL		OPEN	454.69
02076	LOC PUMP & EQUIPMENT, INC.				
08-0996	08/07/08	SEWER-MOTOR STARTER/HEATER PAK		OPEN	585.80
AOL (9/08 SERVICE)					32.90
BORO OF SEA BRIGHT PAYROLL A/C (08/15/08 P/R)					131,353.80
FINEGAN, GEORGE (ANIMAL CAGE)					80.24
GOWAN, KERRY (ANIMAL CONTROL CALLS 2/08-8/11/08)					550.00
HURD, JENNY (ESCROW REFUND)					340.60
KASPERSETZ, HANS (ESCROW REFUND)					537.78
KEENAN, PAUL (ESCROW REFUND)					340.60
MASER CONSULTING (ESCROW)					536.25
MONMOUTH COUNTY SPCA (JULY 2008 BOARDING)					420.00
PERFECTION HOMES, LLC (ESCROW REFUND)					125.00
THE COURIER (ESCROW)					16.92
ZACHOS-KAPLAN, TONI (ESCROW REFUND)					300.60
TOTAL					462,881.86

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

AYES: Keeler, Kelly, Long, Markson, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Bills

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

**BOROUGH OF SEA BRIGHT  
RESOLUTION NO. 163-2008**

**WHEREAS**, the Finance Manager has indicated that the unused Planning Board escrow may now be refunded to:

**Jenny Hurd  
4803 Megill Road  
Neptune, NJ 07753**

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Sea Bright hereby authorize the unused Plot Plan escrow in the amount of \$340.60 be refunded.

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

AYES: Keeler, Kelly, Long, Markson, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Bills

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

**BOROUGH OF SEA BRIGHT  
RESOLUTION NO. 164-2008**

**WHEREAS**, the Finance Manager has indicated that the unused Planning Board escrow may now be refunded to:

**Hans Kaspersetz  
31-49<sup>th</sup> Street  
Weehawken, NJ 07086**

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Sea Bright hereby authorize the unused Plot Plan escrow in the amount of \$537.78 be refunded.

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

AYES: Keeler, Kelly, Long, Markson, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Bills

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

**BOROUGH OF SEA BRIGHT  
RESOLUTION NO. 165-2008**

**WHEREAS**, the Finance Manager has indicated that the unused Planning Board escrow may now be refunded to:

**Paul Keenan  
1023 Jefferson Street  
Baldwin, NY 11510**

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Sea Bright hereby authorize the unused Plot Plan escrow in the amount of \$340.60 be refunded.

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

AYES: Keeler, Kelly, Long, Markson, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Bills

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

**BOROUGH OF SEA BRIGHT  
RESOLUTION NO. 166-2008**

**WHEREAS**, the Finance Manager has indicated that the unused Planning Board escrow may now be refunded to:

**Toni Zachos-Kaplan  
253A Ocean Avenue  
Sea Bright, NJ 07760**

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Sea Bright hereby authorize the unused Plot Plan escrow in the amount of \$300.60 be refunded.

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

AYES: Keeler, Kelly, Long, Markson, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Bills

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

**BOROUGH OF SEA BRIGHT  
RESOLUTION NO. 167-2008**

**WHEREAS**, the Finance Manager has indicated that the unused Planning Board escrow may now be refunded to:

**Frank Ngo  
152 Dorchester Way  
Shrewsbury, NJ 07702**

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Sea Bright hereby authorize the unused Plot Plan escrow in the amount of \$830.00 be refunded.

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

AYES: Keeler, Kelly, Long, Markson, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Bills

**B.** Councilman Keeler made a motion adopting the revised August 29, 2008 Council Meeting Minutes. Second by Councilwoman Long and approved upon the following roll call vote:

AYES: Keeler, Kelly, Long, Markson, Scriven

NAYS: None  
ABSTAIN: None  
ABSENT: Bills

## **6. OLD BUSINESS**

**A. DISCUSSION** - Sea Bright's request for Inclusion of a Non-Binding Public Question for General Election. Councilwoman Long said that we have approached the County Clerk to place a question on our Sea Bright ballot asking the residents if we should change it from the current funding method based on property values to one which each town would pay the same cost per pupil and the intent was that passage of this question would be taken to the school board who has jurisdiction over how funding shares are calculated. We are in compliance with the requirements and the deadline and Borough Clerk Smeltzer sent the ballot question to the County Clerk French. We received communication back from County Clerk French that she was advised by Monmouth County Counsel that our request should be denied and that this question should not be placed on the ballot.

Attorney Arnette said that he is working to get this on the ballot and is hopeful that a decision will be made by the end of this week.

## **7. NEW BUSINESS**

**A. DISCUSSION** - Councilman Keeler - LEPC Planning Committee. Councilman Keeler said that Pete Lang heads Sea Bright's Office of Emergency Management. Historically, Sea Bright has had a basic plan dealing with emergencies. Soon, this plan would be expanded to include residents and business owners. Everyone on the committee will attend training classes, drills and receive equipment.

The Monmouth County All Hazards Mitigation Plan has 53 member towns. The Federal Government requires plan approval before releasing federal grant money. The Shrewsbury River early flood warning system is ready to be put into place. Oceanport OEM is the lead municipality working with other towns in the vicinity.

**B1.** Letter from Sea Bright Fire Department regarding pre Field Day practice.

**B2.** Email from Chief Moore regarding SBFD liquor license request.

**B2.** Special Social Permit Affair Request for Firemen's Field Day on September 28.

Councilman Keeler made a motion approving the Special Social Permit Affair License that will be contingent upon a prohibition and restriction of the use of any portion of the Municipal Parking Lots by any and all Fire Companies on Saturday, September 27, 2008, between the hours of 11:30 .am. To 6:00 p.m. Second by Councilman Scriven and adopted upon the following roll call vote:

AYES: Keeler, Kelly, Long, Markson, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Bills

## **8. CORRESPONDENCE AND COMMUNICATIONS:**

**A.** Director of Public Works Monthly Report for July 2008.

**B.** Sewerage System Operation & Maintenance Monthly Report for July 2008.

Attorney Arnette said that he has been contacted by a developer directed to us by the DEP regarding a subdivision at North Beach. The DEP requires a contribution to a public access fund. This subdivision is being review by CAFRA and DEP and one of the contingencies is a contribution to a public access fund. In 2005, a \$25,000 contribution was given and is being held in escrow by the Borough for Public Access Improvements. Attorney Arnette said he would discuss this at the next scheduled Council meeting.

#### **9. MAYOR'S REPORT AND COMMUNICATIONS:**

Mayor Fernandes said that this Thursday, September 4, at 3 p.m., there will be a FMERPA meeting at Eatontown's Borough Hall regarding Emergency Services Advisory Committee (ESAC) and the focus will be on the Office of Emergency Management.

Mayor Fernandes commented that she has received many compliments on how nice and clean the Borough looks. She commended the Governing Body and thanked the Public Works Department, the Police and Beautification Committees, Code Enforcement, Police and Borough Hall for the team effort. It is comforting to know that all the hard work does not go unnoticed.

Mayor Fernandes said that she would be sending a letter to both the Democratic and Republican Chairpersons requesting them to voluntarily agree to not use any political signs during this upcoming campaign season. The signs are mostly annoying and take away from pleasant vistas. There have been some towns that have voluntarily eliminated political signs, and their residents have welcomed this. I am hopeful that Sea Bright can do the same.

She said that the Skim Bash Weekend starts Saturday, September 6 with the competition on Sunday, September 7.

The Police Benevolent Association's Luau is this Saturday, September 6, at 6 PM Merri-Makers. Tickets are on sale at Sea Bright's Police Department.

Sea Bright Day is Saturday, September 20, from 9 AM to 3 PM, with a rain date on September 21. There will be the Fire Ladies' Flea Market, the PT Cruisers, the Fun Bus for the children, burgers and hot dogs by the Fire Dept. and the book sale and cakes by the Library. This is a fun community day.

Our next Smart Growth Workshop will be on Thursday, September 25, 7:30 PM.

<sup>a</sup>Taste of Sea Bright sponsored by the SBBA will be on Saturday, September 27, from 12-6 PM. There will be a trolley. Wristbands are available at the 27 participating businesses. The wristbands cost \$20 in advance and \$30 day of the event.

The Firemen's Field Day will be on Sunday, September 28. Competition will be in the municipal lots followed with plenty of food and entertainment.

#### **10. REMARKS FROM THE AUDIENCE:**

Jack Kearns reporter for The Link asked about the deadline for filing the school funding public question ballot. Attorney Arnette said that it was filed in time.

11. Councilwoman Long introduced and offered for adoption the following resolution at 7:59 p.m.

**RESOLUTION NO. 168-2008  
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 negotiation of real property.

**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 Scriven and adopted upon a unanimous voice vote.

AYES: Keeler, Kelly, Long, Markson, Scriven

NAYS: None

ABSTAIN: None

ABSENT: Bills

The Council continued the Regular order of business at 8:08 p.m.

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

Respectfully Submitted,

Maryann M. Smeltzer  
Municipal Clerk