

**AGENDA
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

MAY 21, 2024

SEA BRIGHT, NEW JERSEY

TO ATTEND THIS MEETING REMOTELY PLEASE USE THE FOLLOWING:

<https://meet.goto.com/434579509>

OR DIAL: 872-240-3311

Access Code: 434-579-509

CALL MEETING TO ORDER: 7:00pm

PLEDGE OF ALLEGIANCE

COMPLIANCE STATEMENT (N.J.S.A. 10:4-18)

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 Was Sent to the Asbury Park Press and other local newspapers on January 8, 2024. In each instance, the Date, Time, And Location of This Meeting Were Provided in The Notice. This Meeting Is Open To The Public."

ROLL CALL:

Councilmember(s) BIEBER ____ CATALANO ____ GORMAN ____
 KEELER ____ LAMIA ____ LECKSTEIN ____
Mayor KELLY ____

MOMENT OF SILENCE FOR THE FOLLOWING MEMBER OF THE SEA BRIGHT COMMUNITY WHO PASSED AWAY: Elizabeth DeGiulio

Resolution(s):

No. 97-2024 Authorizing Hiring of Full Time Patrol Officer Sea Bright Police Department

Councilmember offered a motion to adopt Resolution No. -2024, seconded by
Councilmember

Roll Call: Bieber____ Catalano____ Gorman____ Keeler____ Lamia____ Leckstein____

COUNCIL PRESIDENT WILLIAM J. KEELER ADMINISTER THE OATH OF OFFICE TO NEWLY APPOINTED PATROL OFFICER: KEVIN J. PENNELL

REMARKS FROM THE AUDIENCE (limited to 3 minutes)

The Public Comment portion of this meeting allows members of the audience to bring their concerns or comments to the Mayor and Council's attention. Pursuant to Borough Ordinance 3-2011, a member of the public who wishes to speak shall give his/her name and address for the record and may have up to three minutes to state his/her comments to the Mayor and Council as a Body. If additional time or information is requested, an appointment can be made with the Administrator's office during regular business hours.

CONSENT AGENDA

Councilmember offered a motion to approve the items that are considered routine in nature under the consent agenda; seconded by Councilmember

Minutes

04-10-2024	Workshop Meeting
04-10-2024	Executive Session
04-16-2024	Regular Meeting
04-16-2024	Executive Session
04-30-2024	Special Meeting
04-30-2024	Executive Session

Resolutions:

- No. 98-2024 Hiring Seasonal Employees**
- No. 99-2024 Awarding Raises for Non-Union Employees**
- No. 100-2024 Adopting Emergency Operations Plan**
- No. 101-2024 Authorizing the Execution of an Application to Participate in JCP&L Direct Install Program Process for Energy Saving Improvements to the Sea Bright Community Center**
- No. 102-2024 Approving Proposal from Leon S. Avakian, Inc. for Engineering Services the Downtown Ocean Avenue Sanitary Lining**
- No. 103-2024 Authorizing the Release of Various Planning Board Escrow Account Balances**
- No. 104-2024 Donation of 2025 Beach Badges**

Roll Call: Bieber___ Catalano___ Gorman___ Keeler___ Lamia___ Leckstein___

ORDINANCE(s):

Public Hearing: Mayor Kelly to read the ordinance by title:

ORDINANCE NO. 06-2024
AN ORDINANCE OF THE BOROUGH OF SEA BRIGHT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 201 OF THE BOROUGH CODE REGARDING MOTORIZED VEHICLES

Councilmember _____ offered a motion to open the public hearing on Ordinance No. 06-2024; seconded by Councilmember _____

Roll Call: Bieber___ Catalano___ Gorman___ Keeler___ Lamia___ Leckstein___

Public Hearing (Ord. No. 06-2024)

Councilmember _____ offered a motion to close the public hearing on Ordinance No. 06-2024; seconded by Councilmember _____

Roll Call: Bieber___ Catalano___ Gorman___ Keeler___ Lamia___ Leckstein___

Councilmember _____ offered a motion to adopt Ordinance No. 06-2024 and advertise according to law; seconded by Councilmember _____

Roll Call: Bieber___ Catalano___ Gorman___ Keeler___ Lamia___ Leckstein___

Public Hearing: Mayor Kelly to read the ordinance by title:

ORDINANCE NO. 09-2024
**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 70, ENTITLED
"BUILDING CONSTRUCTION," ARTICLE I, "UNIFORM CONSTRUCTION CODE,"
SECTION 70-3, "FEES." OF THE CODE OF THE BOROUGH OF SEA BRIGHT**

Councilmember _____ offered a motion to open the public hearing on Ordinance No. 09-2024; seconded by Councilmember _____

Roll Call: Bieber___ Catalano___ Gorman___ Keeler___ Lamia___ Leckstein___

Public Hearing (Ord. No. 09-2024)

Councilmember _____ offered a motion to close the public hearing on Ordinance No. 09-2024; seconded by Councilmember _____

Roll Call: Bieber___ Catalano___ Gorman___ Keeler___ Lamia___ Leckstein___

Councilmember _____ offered a motion to adopt Ordinance No. 09-2024 and advertise according to law; seconded by Councilmember _____

Roll Call: Bieber___ Catalano___ Gorman___ Keeler___ Lamia___ Leckstein___

Introduction: Mayor Kelly to read the ordinance by title:

BOND ORDINANCE NO. 10-2024
**BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$680,000 FOR THE
CONSTRUCTION OF A DEPARTMENT OF PUBLIC WORKS GARAGE AND ALL ASSOCIATED
IMPROVEMENTS FOR AND BY THE BOROUGH OF SEA BRIGHT IN THE COUNTY OF
MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$646,000 BONDS OR
NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.**

Councilmember _____ offered a motion to introduce Bond Ordinance No. 10-2024 for a public hearing to be held on June 18, 2024 and advertise according to law; seconded by Councilmember _____

Roll Call: Bieber___ Catalano___ Gorman___ Keeler___ Lamia___ Leckstein___

INDIVIDUAL ACTION/New Business:

Vouchers: \$ 1,513,547.50

Councilmember _____ offered a motion to approve the Voucher List dated May 21, 2024 as submitted by the Finance Manager; seconded by Councilmember _____

Roll Call: Bieber___ Catalano___ Gorman___ Keeler___ Lamia___ Leckstein___

MAYOR AND COUNCIL COMMENTS

ANNOUNCEMENT: The Borough Council is in receipt of the 2023 Audit.

EXECUTIVE SESSION

Councilmember _____ offered a motion to enter in to Closed Session; seconded by Councilmember _____

Resolution to discuss: TBD

Roll Call: Bieber____ Catalano____ Gorman____ Keeler____ Lamia____ Leckstein____

ADJOURNMENT

Councilmember _____ offered a motion to adjourn the meeting; seconded by Councilmember _____

Roll Call: Bieber____ Catalano____ Gorman____ Keeler____ Lamia____ Leckstein____

RESOLUTION NO. 97-2024
AUTHORIZING HIRING OF FULL-TIME PATROL OFFICER
SEA BRIGHT POLICE DEPARTMENT

Councilmember _____ introduced and offered for adoption the following Resolution; seconded
by Councilmember _____ :

WHEREAS, there exists a need for a full-time Patrol Officer in the Sea Bright Police Department due to the resignation of Patrol Officer Shawn Marelli; and

WHEREAS, per department policy, Chief Friedman, Captain Arias and Lieutenant McCue conducted interviews with ten candidates, each having met the minimum qualifications for employment; and

WHEREAS, Chief Friedman has affirmed that Kevin J. Pennell meets all hiring requirements and qualifications in accordance with Chapter 39-3. "Qualifications of Members" and recommends he be hired as a full-time Probationary Patrol Officer; and

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds are available in Police S/W:

Michael J. Bascom, CFO

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, do hereby authorize Kevin J. Pennell be hired as a full time Probationary Patrol Officer within the Borough of Sea Bright Police Department, in accordance with Chapter 39 entitled "Police Department" of the Borough Code and Ordinance No. 03-2024 Fixing Salaries and Compensation of Officers and Employees.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the following:

1. Kevin J. Pennell
2. Chief of Police
3. Finance Manager

Roll Call: Bieber, Catalano, Gorman, Keeler, Lamia, Leckstein

May 21, 2024

CERTIFICATION

I, Christine Pfeiffer, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on May 21, 2024.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 98-2024
HIRING SEASONAL BOROUGH EMPLOYEES

Councilmember introduced and offered for adoption the following Resolution; seconded by
Councilmember :

WHEREAS, there exists a need for seasonal employees in the Borough of Sea Bright; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the following employees be hired and receive the hourly rate of pay in accordance with the Borough's Salary Ordinance No. 03-2024.

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 and DPW - Salaries & Wages for the purposes stated herein.

MICHAEL J. BASCOM, CFO

<u>BEACH/DPW - Salaries & Wages</u>	
<u>Employee</u>	<u>Position</u>
Susie Markson	Assistant to the Beach Manager
Dr. Matt Letizia	Medical Director
Max Ansell	Lifeguard
Robert Baron	Lifeguard
Joseph Borrino	Lifeguard
Isabella Bulhoes	Lifeguard
Hayden DeLanzo	Lifeguard
Cole Dispoto	Lifeguard
Connor Doogan	Lifeguard
John Doughney	Lifeguard
Jack Forsman	Lifeguard
Will Gulick	Lifeguard
Michael Hannigan	Lifeguard
Barrett Heine	Lifeguard
Jillian Kenney	Lifeguard
Krista Kenney	Lifeguard
Thomas Labrecque	Lifeguard
Sean Larson	Lifeguard
Jonathan Lauria	Lifeguard
Daniel Maloney	Lifeguard
Hunter Manning	Lifeguard
Gianni Mastropietro	Lifeguard
Sean McCabe	Lifeguard
Abigail Michaelson	Lifeguard
Jeffrey Molisani	Lifeguard
KC O'Brien	Lifeguard
Ian O'Neil	Lifeguard
John Opporto	Lifeguard
Luke Rusbarsky	Lifeguard
Olivia Scaglione	Lifeguard
Ava Sigrist	Lifeguard
Caroline Spencer	Lifeguard
Gabriel Stypul	Lifeguard
Julia Vaber	Lifeguard
Ryan Zalinski	Lifeguard
Lauren Zeni	Lifeguard
Cadence Zink	Lifeguard

Emma Carpenter	Badge Checker
Giuliana Cirillo	Badge Checker
Jack Coleman	Badge Checker
Lance Delgado	Badge Checker
Sofia DeFrancesco	Badge Checker
Caroline Donohoe	Badge Checker
Rachel Eagan	Badge Checker
Thomas Feeney	Badge Checker
Aubrey Ginta	Badge Checker
Ashley Hall	Badge Checker
Brody Hansen	Badge Checker
Dylan Havens	Badge Checker
Eddie Huresky	Badge Checker
Emmerson Kirk	Badge Checker
Cameron Klein	Badge Checker
Alyssa Lonardo	Badge Checker
Emma Lonardo	Badge Checker
Emma Madison	Badge Checker
Haleigh Madison	Badge Checker
Kathryn Martin	Badge Checker
Thomas Martin	Badge Checker
Hunter McCue	Badge Checker
Quinn McGee	Badge Checker
Caroline Oliveros	Badge Checker
Rylee Perry	Badge Checker
Sarah Potts	Badge Checker
Adam Ross	Badge Checker
Emma Schottlander	Badge Checker
Rachel Thompson	Badge Checker
Katerina Verdi	Badge Checker
Sienna Verdi	Badge Checker
Jose Gonzales	DPW
William Nitto	DPW
Jack Scrivanic	DPW
George Tammaro	DPW

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the following:

1. Finance Manager
2. Beach Manager
3. Director of Public Works

Roll Call: Bieber, Catalano, Gorman, Keeler, Lamia, Leckstein

May 21, 2024

CERTIFICATION

I, Christine Pfeiffer, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on May 21, 2024.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 99-2024
BOROUGH OF SEA BRIGHT
AWARDING RAISES FOR NON-UNION EMPLOYEES

Councilmember introduced and offered for adoption the following resolution; seconded by Councilmember :

WHEREAS, the Borough of Sea Bright is a municipal employer with full time and part time staff; and

WHEREAS, the governing body has provided for a 3.0% increase in salary and wages in the 2024 budget; and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, does hereby authorize the 2024 annual salary increase of 3.0% for non-union employees, retroactive to January 1, 2024; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the following:

1. Finance Manager
2. CFO
3. Borough Administrator

Roll Call: Bieber, Catalano, Gorman, Keeler, Lamia, Leckstein

May 21, 2024

CERTIFICATION

I, Christine Pfeiffer, Borough Clerk, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on May 21, 2024.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 100-2024
ADOPTING EMERGENCY OPERATIONS PLAN
BOROUGH OF SEA BRIGHT

Councilmember _____ introduced and offered for adoption the following Resolution:
seconded by Councilmember _____ :

WHEREAS, Chapter 222, Public Law 1989 mandates the development and approval of Emergency Operations Plans for all municipalities, counties and the State; and

WHEREAS, an Emergency Operations Plan will allow the Municipality in correlation with the Borough of Sea Bright Office of Emergency Management to better prepare and manage jurisdiction-wide emergencies; and

WHEREAS, the Borough of Sea Bright must submit an updated Emergency Operations Plan to Monmouth County Office of Emergency Management for recertification every two (2) years; and

WHEREAS, the Borough Council of the Borough of Sea Bright is in receipt of an updated Emergency Operations Plan and a request from the Borough of Sea Bright Office of Emergency Management for formal adoption; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Sea Bright, County of Monmouth, State of New Jersey, does hereby approve and authorize the submission of the revised Borough of Sea Bright Emergency Operations Plan to the Monmouth County Office of Emergency Management for recertification.

Roll Call: Bieber, Catalano, Gorman, Keeler, Lamia, Leckstein

May 21, 2024

CERTIFICATION

I, Christine Pfeiffer, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on May 21, 2024.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 101-2024
AUTHORIZING THE EXECUTION OF AN APPLICATION TO PARTICIPATE
IN JCP&L DIRECT INSTALL PROGRAM PROCESS FOR ENERGY SAVING
IMPROVEMENTS TO THE SEA BRIGHT COMMUNITY CENTER

Councilmember _____ introduced and offered for adoption the following Resolution;
seconded by Councilmember _____ :

WHEREAS, the Borough of Sea Bright requested an energy audit and equipment assessment from JCP&L to evaluate the municipal facilities mechanical and lighting systems to identify potential efficiency upgrades; and

WHEREAS, the JCP&L Direct Install Program, in conjunction with Tri-State Light & Energy determined the Sea Bright Community Center would benefit from equipment upgrades to lighting, four furnaces and two condensers for a cost of \$81,914.40; and

WHEREAS, through JCP&L subsidized incentives, 79.2% of the total cost (\$64,871.51) will be covered and the remaining balance of \$17,042.89 will be the Borough's responsibility; and

WHEREAS, implementation of the improvements will result in a projected savings over the lifespan of the new equipment and are necessary for the continued sustainability of the Borough of Sea Bright.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds in the amount of \$17,042.89 will be available in Budget Line Item No. 4-01-31-430-271 for the purposes stated herein.

MICHAEL J. BASCOM, CFO

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, do hereby accept the proposal as set forth by Tri State Light & Energy to implement energy efficient improvements under the JCP&L Direct Install Program to the Sea Bright Community Center; and

BE IT FURTHER RESOLVED that a copy of this resolution, certified to be a true copy, be forwarded to the following:

1. CFO
2. Frank Lawrence, Special Projects

Roll Call: Bieber, Catalano, Gorman, Keeler, Lamia, Leckstein

May 21, 2024

CERTIFICATION

I, Christine Pfeiffer, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on May 21, 2024.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 102-2024
APPROVING PROPOSAL FROM LEON S. AVAKIAN, INC.
FOR ENGINEERING SERVICES FOR THE
DOWNTOWN OCEAN AVENUE SANITARY LINING

Councilmember introduced and offered for adoption the following Resolution; seconded by
Councilmember :

WHEREAS, the Borough of Sea Bright has a need for professional engineering services associated with the downtown Ocean Avenue sewer lining project; and

WHEREAS, the Borough Administrator received a proposal from Borough Engineer Gregory S. Blash, of Leon S. Avakian, Inc. for engineering design, administration, and construction observation services in the amount of \$29,000.00; and

WHEREAS, the Borough Administrator has reviewed and recommends Council approve the proposal received from Leon S. Avakian, Inc., attached hereto for engineering services associated with the downtown Ocean Avenue sewer lining project.

CERTIFICATION OF FUNDS: I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds in the amount of \$29,000.00 will be available in Bond Ordinance No. 13-2021 and Bond Ordinance No. 07-2024 for the purposes stated herein.

MICHAEL J. BASCOM, CFO

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright, in the County of Monmouth, State of New Jersey, that the Borough Council hereby approves the proposal submitted by Leon S. Avakian, Inc. dated April 25, 2024 for professional engineering services associated with the downtown Ocean Avenue sewer lining project for the total amount of \$29,000.00; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to advertise for bids for the construction of the downtown Ocean Avenue sewer lining as per the specifications on file to be received at a date and time to be determined; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the following:

1. Leon S. Avakian, Inc.
2. Finance Manager

Roll Call: Bieber, Catalano, Gorman, Keeler, Lamia, Leckstein

May 21, 2024

CERTIFICATION

I, Christine Pfeiffer, Borough Clerk, do hereby certify that the foregoing is a Resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on May 21, 2024.

Christine Pfeiffer, Borough Clerk

LEON S. AVAKIAN, INC. *Consulting Engineers*

788 WAYSIDE ROAD • NEPTUNE, NEW JERSEY 07753

LEON S. AVAKIAN, P.E., P.L.S. (1953-2004)
 PETER R. AVAKIAN, P.E., P.L.S., P.P.
 MEHRYAR SHAFAI, P.E., P.P.
 GREGORY S. BLASH, P.E., P.P., CPWM
 GERALD J. FREDA, P.E., P.P.
 JENNIFER C. BEAHM, P.P., AICP
 CHRISTINE L. BELL, P.P., AICP
 SAMUEL J. AVAKIAN, P.E., P.L.S., P.P.

**ENGINEER'S ESTIMATE
 DOWNTOWN OCEAN AVENUE SANITARY LINING
 (RUMSON-SEA BRIGHT BRIDGE TO MARIUS LANE)
 IN THE
 BOROUGH OF SEA BRIGHT
 MONMOUTH COUNTY, NEW JERSEY**

ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
1	Mobilization	1 LS	\$10,000.00	\$10,000.00
2	Maintenance & Traffic Control	1 LS	\$3,500.00	\$3,500.00
3	Hydraulic Cleaning 8" Sewer Main	350 LF	\$6.00	\$2,100.00
4	Cured-in-Place Lining 8" Sewer Main	350 LF	\$58.00	\$20,300.00
5	Hydraulic Cleaning 12" - 15" Sewer Main	1925 LF	\$8.00	\$15,400.00
6	Cured-in-Place Lining 12" - 15" Sewer Main	1925 LF	\$70.00	\$134,750.00
7	Protruding Lateral Cutting	20 UN	\$500.00	\$10,000.00
8	Reconstruct Sanitary Sewer Manhole Bench & Channel	10 UN	\$4,000.00	\$40,000.00
9	Pipe Repair, 12" PVC	40 LF	\$115.00	\$4,600.00
10	Pre-Post Video Inspection	1 LS	\$7,500.00	\$7,500.00
CONSTRUCTION COST ESTIMATE ITEMS 1-10				\$248,150.00
ENGINEERING DESIGN & ADMINISTRATION				\$17,000.00
CONSTRUCTION INSPECTION				\$12,000.00
CONSTRUCTION COST ESTIMATE				\$277,150.00

RESOLUTION NO. 103-2024
AUTHORIZING THE RELEASE OF VARIOUS
PLANNING BOARD ESCROW ACCOUNT BALANCES

Councilmember introduced and offered for adoption the following Resolution; seconded by
Councilmember :

WHEREAS, Chapter 130-74D(1)(a) of the Borough Code requires that all Planning Board applications be accompanied by escrows fees which are to be utilized to reimburse professionals to review applications; and

WHEREAS, the Planning Board Secretary has confirmed with the necessary professionals that there are no outstanding invoices and is requesting the release of the following;

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Escrow Balance</u>
29	27	Brian and Vicki Hart	\$ 390.20
4	5	Ocean Avenue Realty, LLC	\$ 5,870.00
29	23	Armen Khachaturian	\$ 300.00
31	6	16 Via Ripa Properties, LLC	\$ 962.00
TOTAL:			\$7,522.20

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the above-mentioned Planning Board escrow balances be released.

BE IT FURTHER RESOLVED that a copy of this resolution, certified to be a true copy, be forwarded to the following:

1. Finance Manager
2. Fiscal Officer
3. Planning Board Secretary

Roll Call: Bieber, Catalano, Gorman, Keeler, Lamia, Leckstein

May 21, 2024

CERTIFICATION

I, Christine Pfeiffer, Borough Clerk, do hereby certify that the foregoing is a Resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on May 21, 2024.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 104-2024
DONATION OF 2025 BEACH BADGES
BOROUGH OF SEA BRIGHT

Councilmember offered the following resolution and moved for its adoption; seconded by
Councilmember :

WHEREAS, the Governing Body of the Borough of Sea Bright wish to support the fundraising efforts for the local organization listed below by donating two (2) 2025 beach badges as requested:

1. Catholic Daughters of America **2 Badges**
 Fundraising Event – October 26, 2024

WHEREAS, the Borough Auditor has been informed and advised that a resolution should be considered in order to donate 2025 Season Beach Badges.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey authorize the donation of two (2) 2025 Season Beach Badges to the aforementioned charitable organization; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. Borough Administrator
2. Borough Auditor
3. Individual Requestor

Roll Call: Bieber, Catalano, Gorman, Keeler, Lamia, Leckstein

May 21, 2024

CERTIFICATION

I, Christine Pfeiffer, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on May 21, 2024.

Christine Pfeiffer, Borough Clerk

ORDINANCE NO. 06-2024

**AN ORDINANCE OF THE BOROUGH OF SEA BRIGHT, IN THE COUNTY OF
MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING
CHAPTER 201 OF THE BOROUGH CODE REGARDING MOTORIZED VEHICLES**

BE IT ORDAINED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, as follows:

SECTION ONE: Chapter 201 is amended and supplemented to add thereto Article XIII. “Low Speed Electric Vehicles: Low-Speed Electric Bicycle (LSEB) and Low-Speed Vehicles (LSV)”, to read, in full as follows:

Article XIII Low Speed Electric Vehicles: Low-Speed Electric Bicycle (LSEB) and Low Speed Vehicles (LSV)

§ 201-90 Definitions.

- A. **“Low-Speed Electric Bicycle (LSEB)”** means a two or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts, that meets the requirements of one of the following classifications: "class 1 low-speed electric bicycle" which means a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour; or “class 2 low-speed electric bicycle” which means a low-speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour. “Low-speed electric scooter” means a scooter with a floorboard that can be stood upon by the operator, with handlebars, and an electric motor that is capable of propelling the device with or without human propulsion at a maximum speed of less than 19 miles per hour.
- B. **“Low-Speed Vehicle (LSV)”** is a four-wheeled vehicle with an attainable speed of more than 20 miles per hour, but no more than 25 miles per hour on paved surface. It cannot be powered by gas or diesel fuel and must comply with federal safety standards as noted in 49 CFR 571.500.
- C. **“Multi-Use Path (Splash Pad)”** Cement pedestrian/cyclist path located east of Ocean Avenue, between the coastal protection zone and sea wall, which extends from the northern border of 801 Ocean Avenue (Ship Ahoy Beach Club) to Sea Bright’s border with Gateway National Recreation Area, Sandy Hook.
- D. **“Public Safety Vehicle”** Any vehicle operating for or on behalf of the municipality so as to provide police, fire, medical, security or code enforcement services for the municipality.

§ 201-91 Low Speed Electric Bicycles (LSEB).

A. Prohibited Vehicles

- (1) Any motorized bicycle with an electric motor greater than 750 watts is not to be considered a "Low-Speed Electric Bicycle (LSEB)" and shall be effectively prohibited from operation in the Borough of Sea Bright, unless such vehicle is specifically authorized by the New Jersey Motor Vehicle Code, and is properly registered and insured, and operated by a licensed operator.

B. Low Speed Electric Bicycles Rules and Regulations

1. *Rights and Duties of Persons on Low-Speed Electric Bicycle (LSEB):* Every person riding a LSEB upon a roadway shall obey the instructions of official traffic control signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.
2. *Helmet:* Persons are not permitted to operate a LSEB unless they wear a protective helmet.
3. *Passengers:* It shall be prohibited for a person operating a LSEB to allow another person to ride as a passenger, unless the person is carried in a proper bike seat, trailer or other accessory that complies with current regulations and contains adequate provision for retaining the passenger in place and for protecting the passenger. The Passenger shall also be required to wear a properly fitted and fastened helmet pursuant to N.J.S.A. 39:4-10.1.
4. *Lights and Reflectors:* When in use during nighttime, every LSEB shall be equipped with:
 1. A front headlamp emitting a white light visible from a distance of at least 500 feet to the front;
 2. A rear lamp emitting a red light visible from a distance of at least 500 feet to the rear;
 3. In addition to the red lamp, a red reflector shall be mounted on the rear;
5. *Audible Signal:* A LSEB must be equipped with a bell or other audible device that can be heard at least 100 feet away. However, the LSEB shall not be equipped with a siren or whistle.
6. *Hitching on Vehicle Prohibited:* No person operating a LSEB shall attach themselves to any streetcar or vehicle. Nor shall the operator of the LSEB knowingly permit any passenger to do the same.
7. *Feet and Hands on Pedals and Handlebars:* All operators of a LSEB shall keep their feet on the pedal and both hands on the handlebars at all times. It shall be prohibited to practice or perform any trick or fancy driving.
8. *Operating Regulations:* Every person operating a LSEB on a roadway shall ride as near to the right-side as practicable, exercising due care when passing a

standing vehicle or one proceeding in the same direction. An operator of a LSEB may move left under any of the following conditions:

1. To make a left turn from a left turn lane or pocket;
 2. To avoid debris, drains, or other hazardous conditions on the right;
 3. To pass a slower moving vehicle;
 4. To occupy any available lane when traveling at the same speed as other traffic;
9. *Prohibited Locations:* No person shall ride a LSEB (which include Low-Speed electric scooters) upon a sidewalk within the Borough of Sea Bright, on the Multi-Use Path (Splash Pad) from its intersection with the cross walk over Ocean Avenue at Mountain View Way through the Multi-Use Path's conclusion at the northern border of 801 Ocean Avenue (Ship Ahoy Beach Club) or ~~nor~~ in any location where it is prohibited by sign.
10. *Carrying Items:* No person operating a LSEB shall carry any package, bundle or article which prevents the rider from keeping both hands upon the handlebars.
11. *Parking:* No person shall park a LSEB upon a street except where an appropriate rack or spots are provided. All LSEB, when parked on sidewalks, shall be parked only in such manner as not to obstruct or impede the normal movement of pedestrian or other traffic or access to adjacent buildings.
12. *Speed:* No person shall operate a LSEB at speeds faster than are reasonable or proper, which in no case shall be in excess of legal speed limits, unless participating in an officially sponsored or sanctioned rally or road race. In no event shall speed of operation exceed 20 miles per hour.
13. *Reckless or Careless Riding:* No person shall ride a LSEB in a reckless or careless manner which endangers or is likely to endanger the safety or welfare of other persons or property.
14. *Public Safety Vehicles:* This section B shall not apply to Public Safety Vehicles engaging in their official activities.

C. Multi-Use Path "Splash Pad" Regulations.

1. Motorized vehicles of any type (electric or gas powered), including, but not limited to, LSEBs (which include Low-speed electric scooters) and LSVs, are not permitted on the multi-use path from its intersection with the cross walk at Mountain View Way through its conclusion at the northern border of 801 Ocean Avenue. This prohibition does not apply to Public Safety Vehicles.

2. Signage:

- a. Signage shall be installed along the Multi-Use Path "Splash Pad" in appropriate locations which shall include, but not necessarily be limited to, a site prior to the cross walk at Mountain View Way and at the northern border of 801 Ocean Avenue (Ship Ahoy Beach Club), advising that LSEB's (including Low Speed Electric Scooters) are prohibited from the Multi-Use Path "Splash Pad" along with the fine associated with the violation of the prohibition.
- b. The Chief of Police, or their designee, shall provide proposals for the locations and text of the aforementioned signage to the Borough Council's Code Enforcement Committee for its review and approval within twenty (20) days of the enactment of this ordinance. Upon approval, said signage shall be ordered by the municipality and thereafter installed upon receipt of same.
- c. Nothing in this section shall be read as prohibiting the future establishment of additional locations, whether along the Multi-Use Path "Splash Pad" or otherwise, for signage deemed necessary so as to properly advise the public as to the prohibition against LSEB's (including Low Speed Electric Scooters).

D. Business Regulations.

1. All persons and businesses who own, rent, hire or lease LSEB in the Borough of Sea Bright for the delivery of items in commerce, such as messages, parcels, food and/or other merchandise or goods, or for the delivery of items in commerce destined for the Borough of Sea Bright:
 - a. Shall keep each LSEB in a safe operating condition and shall advise the persons using said LSEB of the regulations for use in Sea Bright Borough.
 - b. Shall post a copy of this chapter in a conspicuous place where said bicycles are kept, rented, hired or leased, if such location is within the Borough of Sea Bright; and
 - c. Shall ensure that any employee, agent, or contractor, while utilizing LSEB for hire by, for or on behalf of such person or business, shall wear a reflective vest, and have affixed a tag, license, decal or marking affixed to LSEB clearly identifying such LSEB as being operated for hire by, for or on behalf of such person or business.
2. For the purposes of this section, to "hire" includes persons or businesses whose employees or agents utilize LSEB to deliver their messages, parcels, food and/or other merchandise or goods during the time such LSEB are being used for such purpose, whether or not such LSEB are owned, leased or rented by the person or business.

3. A persons or businesses failure to comply with this section shall be considered a violation of this section.
4. Any violation of this section by an operator of a LSEB while in the hire of a person or business shall be considered a separate violation of this section by such person or business.

E. Registration Requirement:

1. All persons and businesses who own, rent, hire or lease LSEB in the Borough of Sea Bright for the delivery of items in commerce, such as messages, parcels, food and/or other merchandise or goods, shall maintain proper registration tags and licenses for each LSEB issued by the Police Department.
2. All persons and businesses who rent, hire or lease LSEB in Sea Bright Borough for the delivery of items in commerce destined for the Borough of Sea Bright, but that are not located within the Borough, shall comply with any municipal registration requirements applicable to LSEBs that may be in force in the location where such business or person's business is based.
3. A persons or businesses failure to comply with this section shall be considered a violation of this section.
4. Any violation of this section by an operator of a LSEB while in the hire of a person or business, shall be considered a separate violation of this section by such person or business.

§ 201-92 Low-Speed Vehicles (LSV).

A. Low-Speed Vehicles Rules and Regulations

1. In addition to State Regulations pertaining to Low-Speed Vehicles, in particular NJSA 29:4-31.1, it shall be unlawful for any person to operate a Low-Speed Vehicle upon any public property in the Borough, including but not limited to municipal side street, municipal parking lots, multi-use path (splash pad), Ocean Avenue (SH36) and recreation areas.

§ 201-93 Violations and penalties.

- A. Any person who violates § 201-91.A above shall be subject to a fine in the amount of \$125.
- B. Any person who violates § 201-91.B above shall be subject to a fine in the amount of \$125
- C. Any person who violates § 201-91.C above shall be subject to a fine in the amount of \$125

- D. Any person who violates § 201-91.D above shall be subject to a fine in the amount of \$125
- E. Any person who violates § 201-91.E above shall be subject to a fine in the amount of \$125
- F. Any person who violates § 201-92.A above shall be subject to a fine in the amount of \$300

§ 201-94 Enforcement.

- A. The Sea Bright Police Department shall have authority to issue summonses for violations of this article.
- B. The Sea Bright Police Department may remove and impound any low-speed electric vehicle/bicycle which are operated, parked, or abandoned in violation of this article. The cost of said removal shall be borne by the low-speed electric vehicle/bicycle owner or lessee.
- C. Enforcement of this article shall be under the jurisdiction of the Sea Bright Police Department.

SECTION TWO. All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency. The Borough Clerk is authorized to renumber and/or re-codify any sections affected by such repeal to the extent consistent with this Ordinance.

SECTION THREE. If any word, phrase, clause, section or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional such word, phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

SECTION FOUR. This Ordinance shall take effect upon publication thereof after final passage according to law and approval by the State of New Jersey.

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Sea Bright, introduced on April 30, 2024 and will be further considered after a Public Hearing held on May 21, 2024 in the Municipal Building at 1097 Ocean Avenue at 7:00 p.m.

INTRODUCED: April 30, 2024
PUBLIC HEARING: May 21, 2024
ADOPTED:

Witness:

BOROUGH OF SEA BRIGHT

CHRISTINE PFEIFFER, CLERK

BRIAN P. KELLY, MAYOR

ORDINANCE NO. 09-2024

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 70, ENTITLED
"BUILDING CONSTRUCTION," ARTICLE I, "UNIFORM CONSTRUCTION CODE,"
SECTION 70-3, "FEES." OF THE CODE OF THE BOROUGH OF SEA BRIGHT**

BE IT ORDAINED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, as follows:

SECTION ONE: Chapter 70, "Building Construction", Article I, Uniform Construction Code, Section 70-3, Fees., of the Code of the Borough of Sea Bright is hereby amended and supplemented to read in full as follows:

A. BUILDING SUBCODE FEES SHALL BE:

Minimum fee for Building permits: \$75

Plan review fee shall be 20% of the amount to be charged for a new construction permit. Plan review fees are not refundable. There will be an additional fee of \$75 per hour for review of any amendment or change to a plan that has already been released.

The basic construction fee shall be the sum of the parts computed on the basis of volume or the cost of construction plus \$10, the number of electric fixtures and devices plus \$10, the number of plumbing/mechanical fixtures and devices plus \$10, and the number of sprinklers, standpipes, heat and smoke detectors and all other fire fixtures and devices at the unit rates provided herein plus \$10 and any special fees.

New construction is based on the volume of the structure. The new construction fee for all use groups shall be \$.032 per cubic foot.

Additions - fees shall be computed on the same basis as new construction for the added portion.

Renovations, alterations, and repairs:

The fee for all use groups shall be:

Estimated Cost	Fee
First 50,000	\$30 per thousand
50,001 to and including \$100,000	\$24 per thousand
Above \$100,000	\$21 per each additional thousand

The applicant shall submit to the Construction Official such data as may be available to provide a bona fide estimated cost. The Construction Official shall make the final decision regarding the estimated cost.

The combination fee for additions and renovations shall be computed as the sum of the fees computed separately in accordance with the subsections above.

Commercial roof and siding fees for other than R-5: \$30 per \$1000 of cost of work.

B. ELECTRIC SUBCODE FEES SHALL BE:

Minimum fee for Electric permits

\$75

Fixtures and devices including lighting outlets, wall switches, florescent fixtures, convenience receptacles, car chargers, fire, burglar or combination alarm systems, or similar motor devices up to 1hp or 1 kilowatt.

One to 50	\$75
Each additional 25 or part thereof	\$25

Furnace and Air Conditioning Replacement \$75

Service panels, entrances, and subpanels (each)

Up to 200 amperes	\$100
Up to 1,000 amperes	\$200
Above 1,000 amperes	\$400

Transformers and generators:

Up to 10 kilowatts	\$75
Up to 45 kilowatts	\$85
Up to 112.5 kilowatts	\$145
Larger than above	\$500

Motors and electrical devices (control equipment, heating, air handling, compressor, heat pump, strip heater, water heater, dryer, oven, range, furnaces, and dishwashers):

Up to 10 horsepower	\$75
Up to 50 horsepower	\$85
Up to 100 horsepower	\$145
Larger than above	\$500

Feeders:

First 100 amperes	\$75
Each additional 100 amperes	\$25

Solar power systems for All Use Groups \$225

Irrigation rain sensors \$75

Annual visual electrical inspection fee for bonding and grounding certificates for public swimming pools, spas, and hot tubs \$100

C. PLUMBING SUBCODE FEES SHALL BE:

Minimum fee for Plumbing permits \$75

Fixtures and appliances connected to or components of a plumbing system (lavatories, kitchen sinks, slop sinks, sinks, urinals, water closets, bathtubs, shower stalls, laundry tubs, floor drains, drinking fountains, dishwashers, garbage disposals, clothes washers, individual gas appliances, condensate drain, or other similar devices. \$25

Waste/vent stacks: \$25 per

Special devices including, but not limited to, grease traps, separators, interceptors, air conditioning units, refrigeration units, sewer connections, water service connections, backflow preventors, sewer pumps and fuel oil piping, refrigeration units, water filtration systems, and deduct meters \$75

Furnace and Air Conditioning Replacement \$75

Steam/hot water boilers and pool heaters \$75

Gas and oil piping service \$75

Appliances added to a gas piping system \$25

Hot water heaters \$75

Septic abandonment \$100

Pool drains/heater \$75

D. MECHANICAL SUBCODE FEES SHALL BE:

Minimum fee for Mechanical permits \$75

The following items shall be for direct replacement or newly added in an existing dwelling

Water Heater \$75

Fuel Oil Piping \$75

Gas Piping \$75

Hot Water/Steam Boiler \$75

Hot Air Furnace \$75

Air Conditioning Condenser \$75

Fireplace \$75

Pool Heater \$75

LPG Tank \$75

Generator \$75

E. FIRE SUBCODE FEES SHALL BE:

Minimum fee for Fire permits \$75

Sprinkler heads (wet/dry), detectors, supervisory and signaling devices:

1-10 \$100

11-20 \$150

21-100 \$200

101-200 \$300

201-400 \$700

401-1000 \$900

OVER 1000 \$1200

Standpipes \$175

Fire department connection \$125

Fire Pump \$250

Fire alarm panel \$75

Smoke control system \$175

Commercial kitchen exhaust hood \$100

Commercial kitchen suppression system \$100

Fireplace venting/metal chimney	\$75
Gas/oil-fired appliances	\$75
Incinerator	\$350
Crematorium	\$400
Underground fire service main (per 100 feet)	\$75
Fire service pit	\$150
Gasoline service stations:	

Up to 3 gasoline tanks up to 20,000 gallons each and 6 gas pumps	\$350
Each additional gasoline tank of up to 10,000 gallons	\$250
Each additional gasoline pump	\$150

Solar installation for all R Use Groups \$75

Solar for all other Use Groups \$150

F. SWIMMING POOL INSTALLATION

Installation of an above ground pool more than 18" deep or
More than 750 gallons in capacity \$150

Installation of a private in-ground pool more than 18" deep or
more than 750 gallons of capacity \$250

Installation of public in-ground or above ground pool \$350

G. CONSTRUCTION OF ACCESSORY AND STORAGE STRUCTURES

Construction of an accessory storage shed, pool cabana or
similar accessory structures up to 100 square feet \$75

Construction of an accessory storage shed, pool cabana, or
Similar accessory structures over 100 square feet \$150

H. DEMOLITION AND REMOVAL OF STRUCTURES

The permit fee for the demolition or removal of a residential
accessory structure less than 500 square feet and in-ground/
above ground pool shall be \$75

All types of structures larger than 500 square feet \$200

Removal of interior demolition; see Alteration fees in Section A.

I. TANKS

Storage tank abandonment

Up to 1,000 gallons	\$150
Over 1,000 gallons	\$300

Storage tank removal/installation

Up to 1,000 gallons	\$150
Over 1,000 gallons	\$300

J. SATELLITE DISH COMMUNICATION DEVICES

Residential	\$75
Commercial	\$200

K. FENCE

Permit is not required for fences 6' or less in height. This exception does not apply to pool fences.	\$75
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L. TENTS

Tents without appurtenances more than 900 square feet or 30 feet in any dimension excluding canopies	\$200
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M. SIGNS

The fee to construct a sign shall be in the amount of \$5 per square foot of surface area of the sign, computed on one side only for double-faced signs. No construction permit is required for signs under 25 square feet.

N. TEMPORARY STRUCTURE

The permit fee for a temporary structure used during the course of construction or other activities whose life is limited to not more than one year shall be:	\$150
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O. ASBESTOS AND LEAD ABATEMENT

Fee determined as per the UCC Fee Schedule.

P. CERTIFICATE OF OCCUPANCY

New construction/additions/tenant fix up	\$150
Change in Use Group	\$150
Continuation under N.J.A.C. 5:23-2.23(c)	\$200

The fee for the first issuance and the renewal of a temporary certificate of occupancy shall be \$50. Exception: There shall be no fee for the first issuance of the temporary certificate of occupancy provided the certificate of occupancy fee is paid at that time.

Q. VARIATION

The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be \$450 for Class I structures and \$125 for Class II and Class III structures. The fee for resubmission of an application for a variation shall be \$230 for Class I structures and \$45 for Class II and Class III structures.

R. WAIVER OF BUILDING PERMIT FEES

- (1) No person shall be charged a construction permit surcharge fee or enforcing agency fee for any construction, reconstruction, alteration, or improvement designed and undertaken solely to promote accessibility by disabled persons to an existing private structure or any of the facilities contained therein.
- (2) A disabled person or a parent, sibling, or child of a disabled person shall not be required to pay a municipal fee or charge in order to secure a construction permit for any construction, reconstruction, alteration or improvement designed and/or undertaken solely to promote accessibility to his or her living unit.
- (3) "Disabled person" shall mean any person who meets the requirements as set forth in the definition of N.J.S.A. 52:27D-126e and N.J.S.A. 40:55D-8 as the same may be amended from time to time.

S. ELEVATORS

- (1) These inspections are conducted by the State of New Jersey. Refer to State fee schedule.

SECTION TWO. All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency. The Borough Clerk is authorized to renumber and/or re-codify any sections affected by such repeal to the extent consistent with this Ordinance.

SECTION THREE. If any word, phrase, clause, section or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional such word, phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

SECTION FOUR. This Ordinance shall take effect upon publication thereof after final passage according to law and approval by the State of New Jersey.

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Sea Bright, introduced on April 16, 2024 and will be further considered after a Public Hearing held on May 21, 2024 in the Municipal Building at 1097 Ocean Avenue at 7:00 p.m.

INTRODUCED: April 16, 2024

PUBLIC HEARING: May 21, 2024

ADOPTED:

Witness:

BOROUGH OF SEA BRIGHT

CHRISTINE PFEIFFER, CLERK

BRIAN P. KELLY, MAYOR

BOND ORDINANCE NO. 10-2024
BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$680,000 FOR THE CONSTRUCTION OF A DEPARTMENT OF PUBLIC WORKS GARAGE AND ALL ASSOCIATED IMPROVEMENTS FOR AND BY THE BOROUGH OF SEA BRIGHT IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$646,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

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 members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Sea Bright, New Jersey (the "Borough") as general improvements. For the said Improvement there is hereby appropriated the amount of \$680,000, such sum includes the sum of \$34,000 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provisions in one or more previously adopted budgets for down payments for capital improvement purposes.

SECTION 2:

In order to finance the cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$646,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$646,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements authorized and the purpose for the financing of which said obligations are to be issued is for the construction of a Department of Public Works garage and all associated improvements, including all work and materials necessary therefor and incidental thereto, and as shown on and in accordance with the plans and specifications on file with the Borough Clerk.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$646,000.

(c) The estimated cost of the Improvements is \$680,000 which amount represents the initial appropriation made by the Borough.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

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 resolution 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, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof

has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$646,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10:

This Bond Ordinance 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 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 \$646,000.

SECTION 11:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

I HEREBY CERTIFY this to be a true and correct Bond Ordinance No. 10-2024 of the Mayor and Borough Council of the Borough of Sea Bright, introduced on May 21, 2024, and will be further considered after a Public Hearing held on June 18, 2024, in the Mayor Dina Long Community Room, 1097 Ocean Avenue, at 7:00 pm.

INTRODUCED: May 21, 2024
PUBLIC HEARING: June 18, 2024
ADOPTED:

Witness

BOROUGH OF SEA BRIGHT,

CHRISTINE PFEIFFER, CLERK

BRIAN P. KELLY, MAYOR

**VOUCHER LIST
MAY 21, 2024
BOROUGH OF SEA BRIGHT**

3129	AB RICHARDS INC.		
	24-00386 04/03/24 Streets & Roads	Open	178.00
2703	ACTION UNIFORM CO.		
	24-00249 02/23/24 POLICE: MATERIALS & SUPPLIES	Open	504.00
2885	ATLANTIC SECURITY & FIRE		
	24-00538 05/13/24 LIBRARY	Open	443.40
01241	BAIN'S HARDWARE, INC.		
	24-00572 05/14/24 HARDWARE	Open	485.35
2640	BATHGATE, WEGENER & WOLF		
	24-00427 04/10/24 LEGAL	Open	385.06
	24-00511 05/02/24 LEGAL	Open	801.68

			1,186.74
01957	BENEMAX BENEFIT MANAGEMENT CO.		
	24-00516 05/07/24 HEALTH	Open	324.00
01631	BOROUGH OF OCEANPORT		
	24-00499 05/01/24 COURT	Open	9,500.00
01974	BOROUGH OF SEA BRIGHT COURT		
	24-00525 05/08/24 COURT	Open	24.90
2370	C. ROONEY PRODUCE CO.		
	24-00484 04/25/24 RECREATION	Open	210.00
2680	CINTAS		
	24-00413 04/10/24 Buildings & Grounds	Open	142.38
	24-00472 04/23/24 Buildings & Grounds	Open	312.95

			455.33
00982	CITY OF LONG BRANCH		
	24-00545 05/13/24 GASOLINE	Open	5,202.47
00256	CLEARY, GIACOBBE, ALFIERI &		
	24-00514 05/07/24 LEGAL	Open	315.00
	24-00518 05/07/24 LEGAL SERVICES	Open	3,325.00

			3,640.00
01801	COLLIER ENGINEERING & DESIGN		
	24-00329 03/13/24 ENGINEER	Open	3,122.50
3147	COMMUNITY GRANTS, PLANNING		
	24-00348 03/18/24 AFFORDABLE HOUSING	Open	4,001.50
01493	COOPERATIVE INDUSTRIES, L.L.C.		
	24-00501 05/01/24 NATURAL GAS	Open	2,442.06
02172	CUSTOM BANDAG		
	24-00561 05/14/24 Tire Reapirs - 4375	Open	770.34
02253	DAVID HODER ASSOCIATES		
	24-00549 05/14/24 ENGINEER	Open	7,047.50
2528	DCH FORD		
	24-00567 05/14/24 POLICE: VEHICLE MAINTENANCE	Open	174.62
2655	DE SESA ENGINEERING CO.		
	24-00523 05/08/24 BLDGS & GRDS	Open	2,093.45
02240	DOOR WORKS, INC.		
	23-00898 08/08/23 Additional Repair Work	Open	8,495.00
	24-00478 04/23/24 Beach	Open	1,168.00

			-----	9,663.00
01817	FINEGAN, GEORGE			
	24-00529 05/09/24 ANIMAL/TNR	Open		784.97
2889	FIRE FIGHTER ONE APPARATUS			
	24-00253 02/23/24 Primer Repairs - 4390	Open		2,491.86
	24-00418 04/10/24 New Batteries - 4387	Open		2,871.04
	24-00471 04/23/24 2024 PM - 4390	Open		3,885.00
	24-00550 05/14/24 2024 PM - 4377	Open		2,485.00
			-----	11,732.90
3117	FLAMINGO FIT LLC			
	24-00505 05/02/24 LIBRARY	Open		300.00
02101	GANNETT NY/NJ LOCALI-Q			
	24-00493 04/30/24 CLERK	Open		66.00
	24-00539 05/13/24 TAX ASSESSOR	Open		38.72
			-----	104.72
02181	GATEWAY PRESS			
	24-00467 04/22/24 A&E	Open		48.00
00979	GIBBONS, P.C.			
	24-00494 04/30/24 LEGAL	Open		475.00
02219	GOODYEAR AUTO CENTER			
	24-00358 03/27/24	Open		1,077.07
	24-00368 03/27/24 POLICE: VEHICLE MAINTENANCE	Open		558.16
			-----	1,635.23
01887	HEIM ELECTRONICS, INC.			
	24-00355 03/27/24 Buildings & Grounds	Open		140.97
2478	HOLISTIC WELLNESS, LLC			
	24-00506 05/02/24 LIBRARY	Open		400.00
01838	HOLMAN, FRENIA, ALLISON, P.C.			
	24-00527 05/08/24 AUDIT	Open		16,250.00
2710	HOLMDEL TOWNSHIP			
	24-00498 05/01/24 FISCAL OFFICER	Open		3,656.34
01285	HOME DEPOT CREDIT SERVICES			
	24-00473 04/23/24 Beach	Open		100.36
	24-00476 04/23/24 Buildings & Grounds	Open		16.98
			-----	117.34
2791	HUDSON ENERGY SERVICES			
	24-00579 05/16/24 ELECTRIC	Open		126.46
2561	INTRON TECHNOLOGY SOLUTIONS			
	24-00353 03/25/24 PARKING	Open		5,694.00
	24-00391 04/03/24 COMPUTERS	Open		2,159.00
	24-00510 05/02/24 COMPUTERS	Open		5,725.34
			-----	13,578.34
2573	JCP & L			
	24-00547 05/14/24 ELECTRIC	Open		14,671.86
2515	JOLYN CLOTHING COMPANY, LLC			
	22-00619 06/01/22 BEACH	Open		615.00
01784	JUNGLE LASERS, LLC			
	24-00512 05/06/24 BLDG. DEPT	Open		760.00
02110	KLEIN, DON			
	24-00460 04/19/24 BEACH CHANGE FUND	Open		6,000.00
00108	LEON S. AVAKIAN, INC.			

24-00463	04/22/24	ENGINEER	Open	5,445.00
01981		LYNN PEAVEY COMPANY		
24-00522	05/08/24	POLICE: MATERIALS & SUPPLIES	Open	144.85
01603		M AND N VENTURES		
24-00528	05/08/24	A&E	Open	17.00
2417		MARLIN BUSINESS BANK		
24-00532	05/09/24	LEASE	Open	180.15
2838		MOBILE PAYMENT PROCESSING SYS		
24-00541	05/13/24	PARKING	Open	7.75
00457		MONMOUTH COUNTY ASSESSORS ASSN		
24-00503	05/01/24	TAX ASSESSOR	Open	150.00
01854		MONMOUTH COUNTY BOARD/TAXATION		
24-00536	05/13/24	TAX ASSESSOR	Open	535.46
00688		MONMOUTH COUNTY POLICE ACADEMY		
24-00420	04/10/24	POLICE: EDUCATION & TRAINING	Open	200.00
02045		MONMOUTH COUNTY SPCA		
24-00500	05/01/24	ANIMAL	Open	325.00
01323		MONMOUTH COUNTY TREASURER		
24-00481	04/24/24	FLOOD WARNING SYSTEM	Open	1,500.00
01422		MONMOUTH MUNICIPAL JOINT		
24-00482	04/24/24	INSURANCE	Open	131,284.00
2883		MONTENEGRO, THOMPSON, MONTENEGRO		
24-00581	05/16/24	PLAN. BOARD	Open	1,686.50
00339		NAPA AUTO PARTS CENTER		
24-00477	04/23/24	Beach	Open	77.99
01694		NAVESINK MARINA		
24-00521	05/08/24	Boat Repairs	Open	1,846.86
01399		NEW JERSEY AMERICAN WATER		
24-00490	04/30/24	WATER	Open	4,867.45
00696		NEW JERSEY FIRE EQUIPMENT CO.		
24-00416	04/10/24	RIT Pack	Open	290.15
01810		NJ DEPT OF HEALTH		
24-00497	05/01/24	DOG LICENSE	Open	2.40
00113		NJ NATURAL GAS COMPANY		
24-00491	04/30/24	NATURAL GAS	Open	1,724.40
00502		NJ STATE LEAGUE/MUNICIPALITIES		
24-00468	04/22/24	DPW	Open	115.00
24-00480	04/23/24	JOB POSTINGS	Open	230.00

				345.00
01309		OCEANPORT BOARD OF EDUCATION		
23-00773	07/13/23	SCHOOL TAX	Open	74,140.00
00046		ONE CALL CONCEPTS, INC.		
24-00502	05/01/24	SEWER	Open	85.80
02226		ORIGINAL WATERMEN		
24-00488	04/25/24	BEACH	Open	4,454.73
00163		OSWALD ENTERPRISES, INC.		
24-00325	03/13/24	Sewer	Open	2,625.00

2683	PAPER ROLL PRODUCTS		
24-00462	04/22/24 PARKING	Open	229.90
3158	PENNELL, KEVIN		
24-00519	05/08/24 POLICE CLOTHING ALLOWANCE	Open	1,325.00
01207	PFEIFFER, CHRISTINE		
24-00492	04/30/24 CLERK	Open	119.88
2659	PIENCIAK, DANIEL		
24-00508	05/02/24 LIBRARY	Open	400.00
24-00578	05/16/24 LIBRARY	Open	100.00

			500.00
2525	POOR JOHNS PORTABLE TOILETS		
24-00464	04/22/24 BEACH	Open	366.00
2290	PORZIO, BROMBERG & NEWMAN		
24-00582	05/16/24 LEGAL SERVICE	Open	8,258.01
00164	RAIN, WILLIAM		
24-00496	04/30/24 INSURANCE	Open	161.10
2728	READY REFRESH BY NESTLE		
24-00540	05/13/24 WATER	Open	322.51
3114	REILLY SWEEPING LLC		
24-00414	04/10/24 Streets & Roads	Open	1,200.00
3150	RELIABLE PRO CONSTRUCTION, LLC		
24-00405	04/09/24 BEACH PAVILION	Open	3,200.00
3137	RUMPH, ABIGAIL		
24-00507	05/02/24 LIBRARY	Open	435.00
24-00576	05/16/24 LIBRARY	Open	415.00

			850.00
00533	RUTGERS, THE STATE UNIVERSITY		
24-00419	04/10/24 Sewer	Open	495.00
00244	SEA BRIGHT FIRST AID, INC.		
24-00486	04/25/24 CONTRIBUTION	Open	26,000.00
00985	SEABOARD FIRE/SAFETY EQUIP CO.		
24-00475	04/23/24 Buildings & Grounds	Open	318.95
00027	SEABOARD WELDING SUPPLY, INC.		
24-00530	05/09/24 DPW	Open	18.50
01027	SHORE BUSINESS SOLUTIONS		
24-00495	04/30/24 A&E	Open	278.00
24-00504	05/02/24 POLICE	Open	43.40
24-00580	05/16/24 A&E	Open	928.58

			1,249.98
00053	SHORE REGIONAL HIGH SCHOOL		
23-00778	07/13/23 HIGH SCHOOL TAX	Open	184,110.84
00768	SNAKES-N-SCALES, LLC		
24-00509	05/02/24 LIBRARY	Open	350.00
02225	STAPLES ADVANTAGE		
24-00577	05/16/24 LIBRARY	Open	318.26
2888	STRYKER MEDICAL		
23-00709	06/28/23 EMS	Open	87,526.90
2535	SUBURBAN DISPOSAL, INC.		
24-00533	05/09/24 TRASH	Open	22,391.84
24-00534	05/09/24 DUMPSTERS	Open	3,198.35

24-00535	05/09/24	LANDFILL	Open	9,127.04

				34,717.23
00656		TAYLOR FENCE CO., INC.		
24-00565	05/14/24	PARKING: CHURCH STREET FENCE	Open	3,230.00
00973		THE TWO RIVER TIMES		
24-00513	05/06/24	DPW	Open	152.00
01779		TIMOTHY HILL ELECTRIC CO., INC		
24-00272	02/28/24	Streets & Roads	Open	340.00
01243		TREASURER, STATE OF NEW JERSEY		
24-00483	04/25/24	BUILDING DEPT.	Open	1,648.00
24-00537	05/13/24	FIRE MARSHAL	Open	323.00
24-00575	05/16/24	CLERK	Open	50.00

				2,021.00
00331		TREASURER, STATE OF NJ		
24-00515	05/07/24	BLDG & GRDS	Open	885.00
02114		TWO RIVERS WATER RECLAMATION		
24-00461	04/19/24	SEWER	Open	93,261.86
01272		VAN BRUNT FLORIST		
24-00520	05/08/24	A&E	Open	137.50
02061		VERIZON WIRELESS		
24-00469	04/22/24	PHONE	Open	1,237.07
24-00542	05/13/24	PHONE	Open	187.67
24-00543	05/13/24	FIRE DEPT	Open	318.14
24-00544	05/13/24	POLICE	Open	1,296.30

				3,039.18
3149		VORTEX COMPANIES		
24-00388	04/03/24	Sewer	Open	1,800.00
2850		WEX BANK (NEW)		
24-00517	05/07/24	GASOLINE	Open	132.00
2682		WHEN TO WORK, INC.		
24-00485	04/25/24	BEACH	Open	453.00
3159		WINGS OF MAGIC		
24-00548	05/14/24	LIBRARY	Open	325.00
00123		WOODY'S OCEAN GRILLE		
24-00546	05/14/24	Refund Performance Bond	Open	13,596.50

TOTAL: \$ 825,812.88

Manual Checks / Wire Transfers

4/24/2024	CITY OF LONG BRANCH	\$4,588.06
24-00470	SHARED SERVICE:GASOLINE-MARCH	
5/9/2024	C.M.R.S.-US POSTAL SERVICE	\$607.00
24-00531	REFILL POSTAGE MACHINE	
4/22/2024	SUSINO,ALEXA	\$1,325.00
24-00465	POLICE:2024 UNIFORM ALLOWANCE	
5/15/2024	TREASURER, MONMOUTH COUNTY	\$560,843.00
24-00457	2/Q COUNTY TAX	

5/15/2024	TREASURER, MONMOUTH COUNTY	\$40,572.33
24-00458	2/Q LIBRARY TAX	
5/15/2024	TREASURER, MONMOUTH COUNTY	\$79,465.90
24-00459	2/Q OPEN SPACE TAX	
4/19/2024	WEX BANK	\$333.33
24-00456	GASOLINE:MARCH	

TOTAL: \$ 687,734.62

GRAND TOTAL: \$ 1,513,547.50