

**MINUTES
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

OCTOBER 3, 2017

SEA BRIGHT, NEW JERSEY

Mayor Long called the meeting to order at 7:00 pm and requested those present to join her in the Pledge of Allegiance.

Mayor Long read the following Compliance Statement:

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 November 15, 2016. In each instance, the Date, Time, And Location Of This Meeting Were Provided In The Notice. This Meeting Is Open To The Public."

PRESENT: Mayor Dina Long

Councilmember's Kevin Birdsall, William J. Keeler, Charles H. Rooney

ABSENT: Councilmember's Brian P. Kelly, John M. Lamia, Jr., Marc A. Leckstein

OTHERS: Attorney Roger McLaughlin, Engineers Fran Mullan & Claire Petruzzella, Administrator Joseph L. Verruni, Clerk Christine Pfeiffer

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.

Pam Ross, 6 Peninsula Avenue, stated she was shocked to learn about the changes to the nuisance ordinance and asked if this was the appropriate time to ask specific questions about the ordinance or wait until the public hearing. The Attorney advised she should wait until the public hearing.

Virginia Cuozzo, Island View Way, stated the residents on Island View Way have been suffering for a long time due to flooding after heavy rains and it seems to be getting worse and nothing is being done to find the cause and alleviate the problem. Mrs. Cuozzo asked Council for their help. Mayor Long responded that the Borough Engineer and the head of DPW will come down and try to determine what is causing the problem and see if some of the solutions we utilize in the downtown might be feasible on Island View Way.

CONSENT AGENDA

Councilmember Keeler offered a motion to remove Resolution No. 164-2017 and approve the remaining items that are considered routine in nature under the consent agenda; seconded by Councilmember Birdsall:

Minutes

09-14-2017 Workshop Meeting

09-14-2017 Executive Session

09-19-2017 Regular Meeting

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
Yes Yes absent absent absent Yes

Resolutions:

No. 159-2017 Donation 2018 Beach Badges

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

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) 2018 beach badges as requested:

1. Monmouth County SPCA
Fur Ball Masquerade, October 14, 2017

2 Badges

WHEREAS, the Borough Auditor has been informed and advised that a resolution should be considered in order to donate 2018 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) 2018 Season Beach Badges for 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: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
 Yes Yes absent absent absent Yes

No. 160-2017 Halloween Curfew

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

WHEREAS, a request has been received for a Halloween Curfew in the Borough of Sea Bright from Chief Sorrentino.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, New Jersey that a curfew be imposed on October 30th and October 31st, between the hours of 9:00 P.M. and 6:00 A.M. for those under the age of eighteen. Minors accompanied by an adult will be exempt from this curfew.

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
 Yes Yes absent absent absent Yes

No. 161-2017 Authorizing Electronic Sign Policy

Councilmember Keeler introduced and offered the following resolution for approval; seconded by Councilmember Birdsall:

WHEREAS, the Borough Council authorized for the acquisition and installation of an electronic sign as part of the Ocean Avenue Streetscape Improvements project in the Borough of Sea Bright to disseminate information to the community; and

WHEREAS, certain rules and regulations, attached hereto, need to be in place for the operation of the electronic sign.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, hereby approve the attached policy for the use of the Borough's electronic sign in the Borough of Sea Bright; and

BE IT FURTHER RESOLVED, that the Borough Council wish to apply this policy to all advertising promulgated by way of the Borough's electronic and print media outlets; and

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

- 1. Borough Administrator
- 2. Borough Police Chief
- 3. Finance Manager
- 4. Public Relations Committee Chair

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
 Yes Yes absent absent absent Yes

No. 162-2017 Authorizing a Special Event/RFH Surf Contest on October 6, 2017

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

WHEREAS, the Special Events Committee of the Borough of Sea Bright approved an application to hold a special event on the municipal beach on September 20, 2017, as follows:

Special Event Permit No. 1270

High School Surf Contest hosted by Rumson/Fair Haven High School
 Applicant: John Grossarch
 September 20, 2017

WHEREAS, due to inclement weather and extremely rough surf, the event was cancelled and a request was received to reschedule on October 6, 2017; and

WHEREAS, since the Special Events Committee is not meeting prior to the proposed new date of October 6, 2017, the Borough Council may exercise its authority under Chapter 38 of the Code of the Borough of Sea Bright to grant approval for the new date; 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 High School Surf Contest hosted by Rumson/Fair Haven High School is hereby approved to be held on the municipal beach on October 6, 2017; and

BE IT FURTHER RESOLVED that the Special Events Secretary and Borough Clerk shall insure that all required permits are obtained and all necessary insurance documents are filed with the Borough; and

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

1. Special Events Secretary
2. Individual Business
3. Borough Police Chief

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
 Yes Yes absent absent absent Yes

No. 163-2017 Authorizing a NJDOT FY2018 Municipal Aid Grant Application and Grant Agreement with the New Jersey Department of Transportation for the Sea Bright Road Program: Church Street and East New Street

Councilmember Keeler introduced and offered for adoption the following Resolution, seconded by Councilmember Birdsall:

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright formally approve submitting a NJDOT FY2018 Municipal Aid grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as MA-2018 - Sea Bright Borough - 00637 for the Sea Bright Road Program: Church Street and East New Street, to the New Jersey Department of Transportation on behalf of the Borough of Sea Bright; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Sea Bright and that their signatures constitutes acceptance of the terms and conditions and approves the execution of the grant agreement; and

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

1. Borough Engineer

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
 Yes Yes absent absent absent Yes

INDIVIDUAL ACTION

After a brief discussion, Councilmember Keeler offered a motion to carry Resolution No. 164-2017 to the next regular council meeting for consideration; seconded by Councilmember Birdsall:

No. 164-2017 Authorizing an Agreement for Installation of Electric Distribution Facilities with Jersey Central Power & Light for the new Beach Pavilion/Community Center

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
 Yes Yes absent absent absent Yes

ORDINANCE(s):

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

ORDINANCE NO. 16-2017
**AN ORDINANCE AMENDING AND SUPPLEMENTING THE
GENERAL CODE OF THE BOROUGH OF SEA BRIGHT,
CHAPTER 201 ENTITLED VEHICLES AND TRAFFIC**

Councilmember Keeler offered a motion to open the public hearing on Ordinance No. 16-2017, seconded by Councilmember Birdsall:

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
Yes Yes absent absent absent Yes

Public Hearing (Ord. 16 -2017)

No one wished to be heard.

Councilmember Keeler offered a motion to close the public hearing on Ordinance No. 16-2017, seconded by Councilmember Birdsall:

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
Yes Yes absent absent absent Yes

Councilmember Birdsall offered a motion to adopt Ordinance No. 16-2017 and advertise according to law, seconded by Councilmember Keeler:

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
Yes Yes absent absent absent Yes

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

ORDINANCE NO. 17-2017
**AN ORDINANCE AMENDING CHAPTER 146, NUISANCES, ARTICLE II,
NOISE NUISANCES OF THE CODE OF THE BOROUGH OF SEA BRIGHT**

Councilmember Keeler offered a motion to open the public hearing on Ordinance No. 17-2017; seconded by Councilmember Birdsall:

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
Yes Yes absent absent absent Yes

Public Hearing (Ord. 17-2017)

Pam Ross, 6 Peninsula Avenue, stated she has not received an answer yet to her letter concerning conflicts of interest for two Council members who do business with Sea Bright establishments that are directly impacted by any noise or nuisance ordinance. Attorney McLaughlin responded that this is an ordinance of general application that applies to every property and person in the Borough and therefore the issue raised is not a conflict for any member of Council. Ms. Ross asked why the ordinance was being amended and who made the changes. Attorney McLaughlin responded that his office prepared the modifications for the specific purpose of making sure that this ordinance is a noise/nuisance ordinance and not a "noise" ordinance subject to the approval of the NJDEP which is why the only changes relate to the elimination of the decibel readings and measures which will be revisited in a separate NJDEP "noise" ordinance. Ms. Ross asked what an impulsive sound is, what a special event is considered, why the violations are erased every five months and why the fine structure changed? Attorney McLaughlin reiterated that the only changes being made relate to decibel readings.

Councilmember Keeler offered a motion to close the public hearing on Ordinance No. 17-2017; seconded by Councilmember Birdsall:

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
Yes Yes absent absent absent Yes

Councilmember Keeler offered a motion to carry Ordinance No. 17-2017 for consideration at the October 17, 2017 meeting; seconded by Councilmember Birdsall:

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney
Yes Yes absent absent absent Yes

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

ORDINANCE NO. 18-2017
AN ORDINANCE AMENDING CHAPTER 38, SPECIAL EVENTS
OF THE CODE OF THE BOROUGH OF SEA BRIGHT

Councilmember Birdsall offered a motion to open the public hearing on Ordinance No. 18-2017; seconded by Councilmember Keeler:

Roll Call:	Birdsall,	Keeler,	Kelly,	Lamia,	Leckstein,	Rooney
	Yes	Yes	absent	absent	absent	Yes

Public Hearing (Ord. 18-2017)

No one wished to be heard.

Councilmember Keeler offered a motion to close the public hearing on Ordinance No. 18-2017; seconded by Councilmember Birdsall:

Roll Call:	Birdsall,	Keeler,	Kelly,	Lamia,	Leckstein,	Rooney
	Yes	Yes	absent	absent	absent	Yes

Councilmember Birdsall offered a motion to adopt Ordinance No. 18-2017 and advertise according to law; seconded by Councilmember Keeler:

Roll Call:	Birdsall,	Keeler,	Kelly,	Lamia,	Leckstein,	Rooney
	Yes	Yes	absent	absent	absent	Yes

INDIVIDUAL ACTION/New Business:

Vouchers: \$478,173.01

Councilmember Keeler offered a motion to approve the Voucher List dated October 3, 2017 as submitted by the Finance Manager; seconded by Councilmember Birdsall:

Roll Call:	Birdsall,	Keeler,	Kelly,	Lamia,	Leckstein,	Rooney
	Yes	Yes	absent	absent	absent	Yes

VOUCHER LIST
BOROUGH OF SEA BRIGHT
OCTOBER 3, 2017

01005	ADP, INC.		
17-01172	09/29/17 A&E	Open	554.92
02260	ADT SECURITY SERVICES		
17-01164	09/28/17 ALARM	Open	39.99
2341	ANTON, TOMMY		
17-01076	09/08/17 RECREATION	Open	1,040.00
00820	APOLLO SEWER & PLUMBING, INC.		
17-01068	09/08/17 BUILDINGS & GROUNDS	Open	975.00
01984	AVAYA FINANCIAL SERVICES		
17-01157	09/27/17 POLICE	Open	145.29
01241	BAIN'S HARDWARE, INC.		
17-01153	09/26/17 HARDWARE	Open	1,365.73
01102	BALLY'S PARK PLACE CASINO		
17-01072	09/08/17 A&E	Open	274.00
00631	BARG'S LAWN & GARDEN SHOP, INC		
17-01069	09/08/17 BUILDINGS AND GROUNDS	Open	149.25
00627	BOROUGH OF RUMSON		
17-01132	09/18/17 OEM	Open	250.00
01565	BOROUGH OF SEA BRIGHT		
17-01173	09/29/17 REIMBURSE	Open	5,272.50
2347	BUHLER FORD		
17-00708	06/08/17 MAINTENANCE	Open	1,749.07
01731	CAESARS ATLANTIC CITY		
17-01071	09/08/17 A&E	Open	942.00

REGULAR MEETING MINUTES**OCTOBER 3, 2017**

00256	CLEARY, GIACOBBE, ALFIERI & 17-01162 09/28/17 LEGAL SERVICE	Open	570.00
2390	COSTA, VALERIA 17-01156 09/27/17 BUILDINGS & GROUNDS	Open	1,350.00
2432	COUNTRY CLEAN PAPER SUPPLIES 17-01035 08/30/17 BUILDINGS & GROUNDS	Open	287.21
00088	CROWN TIRE MART 17-01097 09/13/17 DPW	Open	339.90
2400	DIEGNAN & BROPHY, LLC 17-01171 09/29/17 COURT	Open	700.00
2286	DIFRANCESCO, BATEMENT, KUNZMAN 17-01147 09/25/17 LEGAL SERVICES	Open	3,021.60
00563	ESKRIDGE, JOSEPH 17-01175 09/29/17 DPW	Open	95.00
00506	FARMER, JANE 17-01174 09/29/17 LIBRARY	Open	200.00
02101	GANNETT NJ 17-01151 09/25/17 CLERK	Open	66.00
00979	GIBBONS, P.C. 17-01143 09/25/17 LEGAL SERVICES	Open	1,050.00
2403	GIGI'S NEW YORK STYLE PIZZA 17-01066 09/08/17 DPW	Open	284.00
2281	GRAINGER 17-01074 09/08/17 DPW	Open	185.94
2294	IRENE, JR. MICHAEL 17-01145 09/25/17 PLANNING BOARD	Open	40.00
00166	JOHN'S AUTO & TRUCK REPAIR 17-01131 09/18/17 OEM	Open	1,078.11
00895	JOHNNY ON THE SPOT, INC. 17-01146 09/25/17 BEACH	Open	593.60
2416	KELSO CONSTRUCTION CO, INC. 17-01160 09/28/17 BEACH PAVILION PROJECT	Open	211,732.92
2417	MARLIN BUSINESS BANK 17-01165 09/28/17 POSTAGE	Open	148.05
01900	MCKENNA, DUPONT, HIGGINS & 17-01139 09/18/17 PLANNING BOARD	Open	3,580.00
00176	MODULAR SPACE CORPORATION 17-01161 09/28/17 POLICE	Open	3,030.00
00110	MONM CNTY REGIONAL HEALTH 17-00115 01/30/17 HEALTH FEES	Open	14,671.75
00688	MONMOUTH COUNTY POLICE ACADEMY 17-01008 08/25/17 POLICE	Open	25.00
	17-01036 08/30/17 POLICE	Open	25.00

			50.00
00067	MOTOROLA SOLUTIONS, INC. 17-00878 07/19/17 POLICE	Open	259.60
2298	MR. KEYS 17-00664 05/30/17 BEACH	Open	105.00
01397	MURPHY, CHARLES 17-00092 01/23/17 CLOTHING ALLOWANCE	Open	475.31
00019	NJ AMERICAN WATER 17-01178 09/29/17 WATER	Open	1,852.51
	17-01180 09/29/17 HYDRANTS	Open	2,435.40

			4,287.91
00131	NJ CONFERENCE OF MAYORS 17-01144 09/25/17 A&E	Open	295.00
00502	NJ STATE LEAGUE/MUNICIPALITIES 17-01065 09/07/17 A&E	Open	55.00
01022	PITNEY BOWES SUPPLY LINE 17-01166 09/28/17 POLICE	Open	38.97
00071	R.R. DONNELLEY & SONS COMPANY 17-01082 09/11/17 CLERK	Open	105.00

REGULAR MEETING MINUTES**OCTOBER 3, 2017**

00025	REALTY APPRAISAL CO.		
17-01130	09/18/17 TAX ASSESSOR	Open	2,550.00
00295	RED THE UNIFORM TAILOR		
17-00096	01/23/17 CLOTHING ALLOWANCE	Open	1,025.00
01554	SEA BRIGHT SERVICE CENTER		
17-01056	09/05/17 POLICE	Open	416.99
17-01058	09/05/17 POLICE	Open	1,362.62
17-01098	09/13/17 POLICE	Open	162.53
17-01125	09/18/17 POLICE	Open	173.54

			2,115.68
02153	SHERATON ATLANTIC CITY		
17-01070	09/08/17 A&E	Open	284.00
01027	SHORE BUSINESS SOLUTIONS		
17-01167	09/28/17 POLICE	Open	325.00
00083	T & M ASSOCIATES		
17-01154	09/26/17 MASTER PLAN	Open	22,089.05
02233	TED HALL		
17-01062	09/05/17 BEACH	Open	60.00
01285	THE HOME DEPOT		
17-01163	09/28/17 BEACH	Open	490.13
2438	THOMAS, SHAWN		
17-01176	09/29/17 DPW	Open	95.00
02114	TWO RIVERS WATER RECLAMATION		
17-01152	09/25/17 WATER RECLAMATION	Open	126,366.75
02061	VERIZON WIRELESS		
17-01158	09/27/17 POLICE	Open	1,019.26
17-01159	09/27/17 FIRE DEPT	Open	38.01

			1,057.27
01164	WATCHUNG SPRING WATER CO, INC.		
17-01155	09/26/17 SPRING WATER	Open	427.36

TOTAL: \$418,338.86**BILL LIST FOR OCTOBER 3, 2017 - MANUAL CHECKS**

17-01142	ADP, Inc.	\$626.37
9/25/2017	A&E:Payroll Processing Services	
17-01150	Gannett	\$53.70
9/25/2017	Planning Board:Legal Ad/Escrow Acct.	
17-01126	Monmouth County SPCA	\$250.00
9/18/2017	Animal Control	
17-01136	NJ Dept. of Health & Senior Services	\$3.60
9/18/2017	Monthly Dog License Report-August	
17-01179	NJ State Health Benefits Program	\$53,435.17
9/29/2017	Active & Retired Members-Oct. 2017	
17-01177	United States Postal Service	\$186.95
9/29/2017	Bulk Mailing/Town Hall Letter	
17-01140	Wex Bank	\$5,278.36
9/18/2017	Gasoline:Sept. 2017	

TOTAL MANUALS: \$59,834.15**GRAND TOTAL: \$478,173.01****FOR DISCUSSION:**

Best Practices Study - Joseph L. Verruni, Administrator reported the Borough received 95 points out of a possible 100 so we will receive all of our state aid money with no restrictions. There were some areas we may want to consider during the course of the year such as placing a stricter policy regarding outside employment in our Personnel Policies and Procedures manual. Overall all, the score was very good and it shows Borough staff is doing a great job and working hard.

EXECUTIVE SESSION

Councilmember Birdsall offered a motion to enter into Closed Session; seconded by Councilmember Keeler:

WHEREAS, Section 8 of the Open Public Meeting Act, NJSA 10:4-12 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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 issues as herein set forth and when the need for confidentiality no longer exists the decisions made therein will be made available to the public.

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matters to be discussed are as follows:
 - A. Litigation
3. It is anticipated at this time that the subject matters will be made public, if and when confidentiality is no longer needed. Action may be taken.
4. This Resolution shall take effect immediately

BE IT FURTHER RESOLVED that the Mayor and Council may come back into Regular Session to conduct additional business.

Roll Call:	Birdsall,	Keeler,	Kelly,	Lamia,	Leckstein,	Rooney
	Yes	Yes	absent	absent	absent	Yes

There being no further business to discuss a motion to go back into the regular meeting was made by Councilman Birdsall and seconded by Councilman Keeler with unanimous voice vote approval.

ADJOURNMENT

Councilmember Birdsall offered a motion to adjourn the meeting; seconded by Councilmember Keeler:

Roll Call:	Birdsall,	Keeler,	Kelly,	Lamia,	Leckstein,	Rooney
	Yes	Yes	absent	absent	absent	Yes

Respectfully submitted,

Christine Pfeiffer
Borough Clerk