

**MINUTES  
REGULAR MEETING  
BOROUGH OF SEA BRIGHT**

**MARCH 19, 2019**

**SEA BRIGHT, NEW JERSEY**

**Mayor Long** called the meeting to order at 7:00 p.m. and requested those present to join 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 January 7, 2019. 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, Brian P. Kelly  
Marc A. Leckstein, Charles H. Rooney, Jon D. Schwartz

**OTHERS:** Attorney Roger McLaughlin, Engineers Fran Mullan & Claire Petruzzella,  
Clerk Christine Pfeiffer

**COMMENDATIONS**

**MAYOR LONG presented Proclamations to the Sea Bright Fire Department, First Aid and members of mutual aid fire and first aid departments for their heroic efforts battling the three-alarm fire in Sea Bright on February 8, 2019.**

**Sea Bright Fire Department:**

Dave Covert  
Chad Murphy  
Scott Shanker  
Kevin Covert  
Nick Luiten  
Dave Estelle  
Joe Eskridge  
Aaron Rock  
Angelo Ciaglia  
John Wankel  
Bob Kegley  
Rob Eyerkuss  
Darren Berry  
Anthony Nolin  
Nick Hubbard  
Steve Cambell  
Pat Mason

**Sea Bright First Aid:**

Brett Murphy  
Dan Drogin

**Sea Bright Police Dept:**

Ty Manning  
Sean Morelli

**Mutual Aid Fire Departments:**

Monmouth Beach Fire Company  
Rumson Fire Company  
Little Silver Fire Company  
Fair Haven Fire Department Station 13-1  
Unexcelled Fire Co. Neptune Fire Dept NJ  
Community Fire Company  
Highlands NJ Fire Department Station 17-1  
City of Long Branch Professional Firefighters FMBA  
Local 68  
Tinton Falls Fire Company No. 1  
Atlantic Highlands Fire Department Stations 85-1  
Union Beach Fire Co. #1  
Station 2: Brevent Park and Leonardo Firehouse  
Oceanport Hook & Ladder Fire Co.  
Port au Peck Chemical Hose Co.  
Northside Engine Co. 4  
North Centerville Vol. Fire Co. No. 1  
Red Bank Fire Department  
Shrewsbury Hose Company #1

**Mutual Aid First Aid:**

Monmouth Beach First Aid  
Oceanport First Aid

**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.

Christopher Capillo, 370 Ocean Avenue, presented photos to the Council and explained that there are about 8 neighbors here tonight demanding that something be done with the property at 356 Ocean Avenue. He wants to know what they can do to get this resolved.

Attorney McLaughlin reported that he was presented with signed contracts for the replacement of the roof and siding done with work to commence in early May - it is one of the last items of their settlement agreement. Since the last meeting the property owner has been fined for various violations. Additionally the demolition of 1056 has been completed. Mr. McLaughlin said there has been progress, albeit slow progress, but believes there will be substantial progress beginning in early May. Mr. Capillo questioned how long they have to complete the work on 356 Ocean Avenue. Mr. McLaughlin responded that we will be back in court if it is not completed in a reasonable amount of time.

Nancy Bedenko, 400 Ocean Avenue, questioned if there were specific dates on this contract. Mr. McLaughlin responded that there are not - the start date is early May. Ms. Bedenko said she spoke to the property owner of 356 Ocean Avenue about why the property is not getting cleaned up - she said it wasn't a money issue - just that it wasn't convenient at this time. Ms. Bedenko said she is sick of people doing the wrong thing and not getting punished for it and urged everyone to stand up and do something about this. Mr. McLaughlin explained that the Borough has taken action and the property owner has fought the Borough every step of the way - the legal process allows people to fight back.

Heather Bedenko, 400 Ocean Avenue, questioned what the legal fees are in regards to 356 Ocean Avenue. Attorney McLaughlin will have the Borough Clerk get this information to Ms. Bedenko.

R.C. Staab, 290 Ocean Avenue, asked what would be a reasonable date for the property owner to pull permits by if they actually intend to start work in early May. Mayor Long answered that permits should be pulled by May 1. He questioned what the outcome will be if permits are not pulled by that date and at what point does the work have to commence? Mr. McLaughlin stated that by May 15, 2019 if there is no action it can be readdressed.

Gregory Greco, 308 Ocean Avenue, stated his concerns about 356 Ocean Avenue and asked if the new siding is required to be on all sides of the house and if there is any court ordered action for the inside of the house. Attorney McLaughlin responded that the siding will be on the entire structure but the inside is not included in the settlement agreement.

Ira Shusshiem, 730 Ocean Avenue, said that you do not need to pull a permit for roofing and siding. Engineer Claire Petruzzella indicated that you do indeed need to pull a permit for this type of work.

Janet Hentschel, 7 East Church Street, questioned the requirements of fencing on vacant lots. Mr. McLaughlin explained that the requirement of a fence was specific to the property being addressed at 1056 Ocean Avenue. Ms. Hentschel also asked if the town could remove the metal container in the parking lot as it is quite an eye sore. The Chief of Police responded that the PD is using it for storage and it will be removed when the new building is completed. Ms. Hentschel questioned if we are still paying for legal services for the school agreement. Mayor Long responded that we are doing a feasibility study to look at re-configuration of school districts. Ms. Hentschel said she attended the Library opening event and disagreed with the speech that there will be people against rebuilding the town.

John Lamia, 2 Village Road, wanted the record to be clear that he was not against the buildings, he wanted someone with experience and expertise to oversee the job so it would be done efficiently and on time. Mayor Long explained that they have hired a construction management company to oversee the new municipal complex building. Mr. Lamia just wanted to clarify that he was not against the new building.

Butch Hentschel, 7 East Church Street, questioned if businesses are permitted in residential zones. Mayor Long explained that it depends on the nature of the business as we do allow some types of home based businesses. Councilman Leckstein explained that you can request a variance for anything, but it does not mean the board will approve it. He questioned and received clarification on the sewer rate resolution on the consent agenda.

Nancy Bedenko, 400 Ocean Avenue, stated the property of 150 Ocean Avenue has trash and construction debris blowing around and it is a mess. The Borough Clerk will follow up.

R.C. Staab, 290 Ocean Avenue, stated that there are a lot of street lights out in north beach. Chief Friedman will address this issue.

Nancy Bedenko, 400 Ocean Avenue, thinks that there should be police enforcing speeding through north beach in the morning heading to the ferry – it is a real safety issue and someone is going to get hurt.

Kendall Healin, Clean Ocean Avenue, spoke on the Williams/NESE Raritan Bay Pipeline – a natural gas pipeline being proposed which will cut through Raritan Bay - 14,000 acres of the bay will be disturbed. She explained the harm that it will cause New Jersey only to provide natural gas to New York. She provided council with a sample resolution opposing the project and fact sheets.

Councilman Birdsall requested that T&M Associates explain **Resolution 58-2019 - Approving Proposal from T&M Associates for Sewage Collection System Rehabilitation Evaluation.** Engineer Claire Petruzella explained that she is going to provide a detailed evaluation of the repairs and the proposed construction with preliminary construction cost estimates and prioritization of those repairs.

**CONSENT AGENDA**

Councilmember Leckstein offered a motion to remove Resolutions 53-2019 & 54-2019 and add Resolution No. 60-2019 to the consent agenda; seconded by Councilmember Birdsall:

**No. 53-2019                    Authorizing an Agreement with the Break at Sea Bright LLC**

**No. 54-2019                    Authorizing an Agreement with Brooks Real Estate Development LLC Haven at Sea Bright**

**Roll Call:** Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz  
                  Yes        Yes        Yes        Yes        Yes        Yes

Councilman Leckstein wants to rework the language for Resolutions 53-2019 and 54-2019.

**CONSENT AGENDA**

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

**Minutes**

03-05-2019 Regular Meeting

**Roll Call:** Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz  
                  Yes        Yes        Yes        Yes        Yes        Yes

**Resolutions:**

**No. 50-2019                    Donation 2019 Beach Badges**

Councilmember Leckstein 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 organizations listed below by donating 2019 beach badges as requested:

- 1. Bayshore Middle School PTO **2 Badges**  
Gift Auction – May 10, 2019
- 2. Ashley Lauren Foundation **2 Badges**  
Annual Pediatric Cancer Fundraiser – June 22, 2019

**WHEREAS,** the Borough Auditor has been informed and advised that a resolution should be considered in order to donate 2019 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 four (4) 2019 Season Beach Badges for the aforementioned charitable organizations; and

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

- 1. Borough Administrator
- 2. Borough Auditor
- 3. Individual Requestors

**Roll Call:** Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz  
                  Yes        Yes        Yes        Yes        Yes        Yes

**No. 52-2019 Refund of 2018 Tax Overpayment – Block 16, Lot 16**

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

**WHEREAS**, an overpayment was made by Ocean River Estates LLC for 4th Quarter 2018 property taxes in the amount of \$1,501.82 for Block 16, Lot 16 – 14 Peninsula Avenue; and

**WHEREAS**, the tax overpayment should be refunded Ocean River Estates LLC, 14 Peninsula Avenue, Sea Bright, New Jersey.

<b>BLOCK</b>	<b>LOT</b>	<b>PAYER NAME</b>	<b>AMOUNT</b>	<b>REASON</b>
16	16	Ocean River Estates LLC	\$1,501.82	4Q Overpayment

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that it does hereby authorize the Tax Collector and the Finance Manager to refund the said 2018 tax overpayment of \$1,501.82, and

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

1. Tax Collector
2. Finance Manager
3. Ocean River Estates LLC

**Roll Call:** Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz  
Yes Yes Yes Yes Yes Yes

**No. 55-2019 Authorizing Requests for Proposals for Professional Services Appraisal Services to Defend the 2019 State Tax Court Appeals and Preparation of the 2019 Added Assessment Tax List**

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

**WHEREAS**, the Borough Council is desirous of receiving proposals for the following:

- a) Professional Appraisal Services to Defend the 2019 State Tax Court Appeals
- b) Preparation of the 2019 Added Assessment Tax List

**WHEREAS**, specifications for the aforesaid items will be on file in the Borough Clerk's Office, and will be available for inspection.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth that it does hereby authorize the Borough Clerk to advertise for requests for proposals for the aforesaid items as per the specifications on file and will be received by the Borough Tax Assessor, 1167 Ocean Avenue, Sea Bright, New Jersey no later than 12:00 noon on April 26, 2019; and

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

1. Finance Manager
2. CFO
3. Tax Assessor

**Roll Call:** Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz  
Yes Yes Yes Yes Yes Yes

**No. 56-2019 Authorizing Sewerage Rates and Charges for First Quarter of 2019**

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

**WHEREAS**, the Governing Body of the Borough of Sea Bright authorizes the rates and charges of the municipal public utility for sewerage for the first quarter of 2019; and

**WHEREAS**, any previous schedule of charges adopted by the Mayor and Council of the Borough of Sea Bright which are inconsistent herewith are hereby rescinded; and

**WHEREAS**, the rates and charges for the utilities are as follows:

1. The 2019 first quarter sewerage rate will be at the rate of \$9.90 for every 1,000 gallons of water consumed by the customer.

2. The charges shall be due and payable in 2019 within 10 days after the due date of the municipal sewer utilities bill. If the bill is not timely paid, the outstanding bill shall be considered a municipal charge and shall be subject to the same rate of interest accruing on delinquent taxes. The first quarter billing in 2019 shall be mailed during April of 2019 for consumption billed by the water company from mid December 2018 through mid March 2019.

3. Consumption shall be based upon the information provided to the Borough of Sea Bright Municipal Sewer Utility by the New Jersey American Water Company. The customers that are billed by the New Jersey American Water Company on a quarterly basis shall have their sewer charge based upon the quarterly water charges from New Jersey American Water Company. Those customers that are billed on a monthly basis by New Jersey American Water Company shall have their bills based upon their water consumption.

4. All customers of the municipal sewer utility shall be billed for at least 10,000 gallons quarterly. This minimum charge shall be \$99.00 for the first quarter of 2019.

5. The consumption charges shall be billed to the metered townhouse or condominium association or corporation for payment.

6. If any section, subsection, clause or provision of this Schedule of Charges shall be adjudged unconstitutional or to be ineffective in whole or in part, to the extent that it is not adjudged unconstitutional or is not effective, it shall be valid and effective; and no other section, subsection, clause or provision of this Schedule of Charges shall on account thereof be deemed invalid or ineffective and the inapplicability or invalidity of any section, subsection, clause or provision of this Schedule of Rates and Charges in any one or more

instances or under any one or more circumstances shall not be taken to affect or prejudice in any way its applicability or validity in any other instances or under other circumstances.

7. A copy of same shall at all times be kept on file at the office of the Tax/Sewer Utility Collector at 1167 Ocean Avenue, Sea Bright, New Jersey and shall at all reasonable times be open to public inspection.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the utility is hereby authorized to publish a notice of final adoption of said Resolution of Rates and Charges.

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of Sea Bright that they hereby authorize the utility to forward a copy of said Resolution of Rates and Charges to the customers of the utility at the utility's discretion.

Roll Call: Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz  
Yes Yes Yes Yes Yes Yes

**No. 57-2019 Authorizing 2019 Farmers' Market**

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

**WHEREAS**, the Borough Council believes the Sea Bright Farmers' Market will benefit the community, residents, businesses and visitors by providing a variety of goods and services from various local vendors; and

**WHEREAS**, Community Green Market Organizers who began the Farmers' Market in the Borough in the summer of 2014 transferred the operations and management of the Farmers' Market to the Borough; and

**WHEREAS**, various residents of Sea Bright have volunteered to act as the "community organizers" and "custodians of record" of the Sea Bright Farmers' Market; and

**WHEREAS**, the custodians of record will maintain and submit all related documents to the Borough Clerk; and

**WHEREAS**, all fees collected will be deposited within 48 hours in to the Public Relations Trust; and

**WHEREAS**, the Borough of Sea Bright wishes to continue the Sea Bright Farmers' Market in the Borough on Thursdays beginning on June 6, 2019 thru September 26, 2019, between the hours 1 pm and 6 pm, rain or shine.

**NOW, THEREFORE, BE IT RESOLVED** the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey hereby authorizes the 2019 Sea Bright Farmers' Market to operate in our community beginning on June 6, 2019 through September 26, 2019; 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. Community Organizers

Roll Call:	Birdsall,	Keeler,	Kelly,	Leckstein,	Rooney,	Schwartz
	Yes	Yes	Yes	Yes	Yes	Yes

**No. 58-2019                    Approving Proposal from T&M Associates for Sewage Collection System Rehabilitation Evaluation**

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

**WHEREAS**, the Borough of Sea Bright recognizes the need to proactively assess the condition of its sewage collection system and to develop a plan for rehabilitation and reduce the likelihood of future failures; and

**WHEREAS**, Oswald Enterprises Inc. was hired to inspect selected sanitary sewers at various locations throughout the Borough and the findings were submitted to the Borough in a report dated January 2019; and

**WHEREAS**, the governing body asked the Borough Engineer, T&M Associates to provide a detailed evaluation of the repairs and the proposed construction phasing with preliminary construction cost estimates and prioritization of the repairs; and

**WHEREAS**, T & M Associates has submitted a proposal dated March 12, 2019 (attached hereto), consisting of a Scope and Fee Estimate for Professional Engineering Services to prepare an evaluation and outline a long-term approach to the sewage collection system rehabilitation in the Borough for a fee not to exceed \$5,240.00; and

**WHEREAS**, it is the recommendation of the Borough Administrator that the proposal dated March 12, 2019 be accepted from T & M Associates; and

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, has certified that funds in the amount of \$5,240.00 are available in Bond Ordinance No. 01-2014 (S-06-55-506-002) for the purpose stated herein.



\_\_\_\_\_  
MICHAEL J. BASCOM, CFO

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, in the County of Monmouth, State of New Jersey that the proposal submitted by T&M Associates for Sewage Collection System Rehabilitation Evaluation throughout the Borough is hereby approved for a sum not to exceed \$5,240.00; and

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

- 1. Finance Manager
- 2. T&M Associates
- 3. Public Works

Roll Call:	Birdsall,	Keeler,	Kelly,	Leckstein,	Rooney,	Schwartz
	Yes	Yes	Yes	Yes	Yes	Yes

**No. 59-2019                    Authorizing the Receipt of Bids for the 2017 & 2018 Roadway and Sewer Improvement Project**

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

**WHEREAS**, the Borough Council is desirous of receiving bids for the following:

- a) 2017 & 2018 Roadway and Sewer Improvement Project, and

**WHEREAS**, specifications for the aforesaid items will be on file in the Borough Clerk's Office, and will be available for inspection.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that it does hereby authorize the Borough Engineer to advertise for bids for the aforesaid item as per the specifications on file and will be received by the Borough Administrator in the Cecile F. Norton Community Center Meeting Room, 1167 Ocean Avenue, Sea Bright, New Jersey on Thursday, April 4, 2019 at 10:00 am.

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

1. Finance Manager
2. Department of Public Works
3. CFO
4. Borough Engineer

Roll Call: Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz  
                   Yes            Yes            Yes            Yes            Yes            Yes

**No. 60-2019                    Authorizing Fee for Special Event Booker D. Surfdog Endless Summer BBQ Tour September 7 and 8, 2019 Anchorage Park and Beach**

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

**WHEREAS**, the Special Events Committee has approved an event entitled "Booker D. Surfdog Endless BBQ Tour, scheduled to be held in Anchorage Park and on the Sea Bright

Municipal Beach across from Anchorage Park (Anchorage Beach) on September 7 and 8, 2019; and

**WHEREAS**, due to the size and scope of the event, the Special Events Committee deferred to the Governing Body to establish an appropriate fee to be charged to hold said event on Borough property; and

**WHEREAS**, the Borough Council wishes to approve a fee of \$1,000.00 for this event.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the Booker D. Surfdog Endless BBQ Tour event is hereby approved for a fee of \$1,000.00 to be held on September 7 and 8, 2019 on Borough Property (Anchorage Park and Beach); and

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

1. Department of Public Works
2. Sea Bright Police Department
3. Special Events Committee

**Roll Call:** Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz  
                   Yes            Yes            Yes            Yes            Yes            Yes

**INDIVIDUAL ACTION/Resolution(s):**

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

**No. 51-2019          Refund of 2018 Tax Overpayment – Block 33, Lot 12**

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

**WHEREAS**, an overpayment was made by Charles Rooney, III for 4th Quarter 2018 property taxes in the amount of \$1,118.33 for Block 33, Lot 12 – 53 North Way; and

**WHEREAS**, the tax overpayment should be refunded to Charles Rooney, III, 53 North Way, Sea Bright, New Jersey.

<b>BLOCK</b>	<b>LOT</b>	<b>PAYER NAME</b>	<b>AMOUNT</b>	<b>REASON</b>
33	12	Charles Rooney, III	\$1,118.33	4Q Overpayment

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that it does hereby authorize the Tax Collector and the Finance Manager to refund the said 2018 tax overpayment of \$1,118.33, and

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

1. Tax Collector
2. Finance Manager
3. Charles Rooney, III

**Roll Call:** Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz  
Yes Yes Yes Yes Abstain Yes

**ORDINANCE(s):**

**Introduction:** Mayor Long to read the ordinance by title:

**ORDINANCE NO. 05-2019**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 150,**  
**“PACKAGING PRACTICES, UNIFORM,” OF THE CODE OF THE BOROUGH**  
**OF SEA BRIGHT, PROVIDING FOR A MORATORIUM ON THE ENFORCEMENT**  
**OF THE PROHIBITION ESTABLISHED THEREIN**

Councilmember Leckstein offered a motion to introduce Ordinance No. 05-2019 for a public hearing to be held on April 2, 2019 and advertise according to law; seconded by Councilmember Birdsall:

**Roll Call:** Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz  
Yes Yes Yes Yes Yes Yes

**WHEREAS**, it has been brought to the attention of the Mayor and Borough Council of the Borough of Sea Bright that Chapter 150, “Packaging Practices, Uniform,” of the Code of the Borough of Sea Bright was previously enacted and provides for a prohibition on the use of nonbiodegradable and plastic packaging by retail food and other retail establishments located within the Borough of Sea Bright; and

**WHEREAS**, the aforesaid prohibition has not previously been enforced within the Borough of Sea Bright; and

**WHEREAS**, the Mayor and Borough Council find that prior to the enforcement of any such prohibition, there should be an opportunity for review of the provisions of Chapter 150; public comment and that adequate public notice prior to enforcement should be provided to retail establishments within the Borough;

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, as follows:

**SECTION ONE.** Chapter 150, “Packaging Practices, Uniform,” of the Code of the Borough of Sea Bright, be and the same is hereby amended and supplemented by the addition thereto of the following section:

**“§150-8, MORATORIUM ON ENFORCEMENT; REPEAL.**

The provisions of this Chapter shall not be enforced within the Borough of Sea Bright until December 31, 2019. Should this Chapter not be amended or supplemented by Ordinance adopted by the Borough Council on or before December 31, 2019, this Chapter shall be deemed to be repealed as of that date.”

**SECTION TWO:** All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

**SECTION THREE:** If any section, subsection, paragraph, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

**SECTION FOUR:** This Ordinance shall take effect immediately upon its passage and publication as required by law.

**Introduction:** Mayor Long to read the ordinance by title:

**ORDINANCE NO. 06-2019  
AN ORDINANCE AMENDING CHAPTER 130, “LAND USE,” ARTICLE VII,  
“AREA, BULK AND USE REQUIREMENTS,” OF THE CODE OF THE  
BOROUGH OF SEA BRIGHT, SECTION 130-49F, “TEMPORARY USES,”  
PERTAINING TO SEASONAL PARKING FACILITIES**

Councilmember Leckstein offered a motion to introduce Ordinance No. 06-2019 with an amendment to (d)(7)\* for a public hearing to be held on April 2, 2019 and advertise according to law; seconded by Councilmember Birdsall:

**Roll Call:** Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz  
Yes Yes Yes Yes Yes Yes

\*amendment increases the fine in (d)(7) to \$1,250.00

**BE IT ORDAINED** by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that Chapter 130, “Land Use,” Article VII, “Area, Bulk and Use Requirements,” of the Code of the Borough of Sea Bright shall be amended as follows:

**SECTION ONE.** Chapter 130-49F, “Temporary Uses,” subsection 130-49F(2), “Examples of Temporary Uses,” subparagraph 130-49F(2)(d), “Seasonal Parking Facilities,” be and the same is hereby amended and supplemented to read, in full, as follows:

- “(d) Seasonal parking facilities. On vacant lots located in the B1 and BR Zoning Districts, seasonal parking facilities may be maintained, subject to the following conditions:
  - (1) Seasonal parking facilities shall be permitted only from Memorial Day through Labor Day each year.
  - (2) A permit shall be obtained on an annual basis from the Zoning Officer for each vacant lot to be used for seasonal parking on an annual basis.
  - (3) No permit shall be issued unless all property taxes, assessments and water and sewer fees due through the third quarter of the year are paid for the lot for which the permit is issued.
  - (4) An application for each lot shall be submitted to the Zoning Officer together with a review of \$500.00 no later than May 1.
  - (5) The Zoning Officer shall include such reasonable conditions on a permit which are necessary to protect the public health, safety or welfare.
  - (6) Any property owner who operates or permits, suffers or allows a seasonal parking facility to operate without a permit shall be subject to the penalty provision hereof and shall also be ineligible to obtain a permit hereunder for the year in which such illegal use occurs and the year following such use.
  - (7) Any person, firm or corporation that violates any provision hereof shall be subject to a fine of no less than \$1,250.00 for each day the violation occurs.”



**REGULAR MEETING**

**MARCH 19, 2019**

2563	LEGACY CONSTRUCTION MNGMNT. 19-00184 02/12/19 MUNICIPAL COMPLEX	Open	5,512.02
2278	MCLAUGHLIN, STAUFFER & SHAKLEE 19-00266 03/07/19 LEGAL	Open	12,182.45
00688	MONMOUTH COUNTY POLICE ACADEMY 19-00325 03/15/19 POLICE	Open	2,000.00
00441	MONMOUTH COUNTY TREASURER 19-00296 03/13/19 INTERLOCAL SERVICE	Open	82,729.00
02256	MONMOUTH TELECOM 19-00321 03/15/19 PHONE	Open	1,261.66
00067	MOTOROLA SOLUTIONS, INC. 19-00204 02/15/19 POLICE	Open	590.00
00020	NJ ASSOC OF CHIEFS OF POLICE 19-00227 02/27/19 POLICE	Open	3,250.00
2570	OCEAN RIVER ESTATES, LLC 19-00318 03/15/19 TAX OVERPAYMENT	Open	1,501.82
00046	ONE CALL CONCEPTS, INC. 19-00324 03/15/19 CALL BEFORE YOU DIG	Open	36.72
2372	PAYARGO, INC. 19-00298 03/14/19 TAX COLLECTOR	Open	103.95
2290	PORZIO, BROMBERG & NEWMAN 19-00302 03/14/19 LEGAL	Open	10,567.00
02026	PUBLIC STORAGE 19-00291 03/13/19 POLICE	Open	390.00
2280	ROONEY III, CHARLES 19-00311 03/14/19 TAX OVERPAYMENT	Open	1,118.33
01554	SEA BRIGHT SERVICE CENTER 19-00233 02/27/19 POLICE	Open	345.74
	19-00235 02/27/19 DPW	Open	270.06
	19-00263 03/07/19 POLICE	Open	102.95
			-----
			718.75
00027	SEABOARD WELDING SUPPLY, INC. 19-00331 03/15/19 DPW	Open	43.50
2535	SUBURBAN DISPOSAL, INC. 19-00299 03/14/19 DUMPSTERS	Open	531.36
	19-00300 03/14/19 TRASH REMOVAL	Open	11,330.94
	19-00301 03/14/19 LANDFILL	Open	4,771.55
			-----
			16,633.85
01931	SUBURBAN PROPANE 19-00290 03/13/19 PROPANE	Open	612.26
01285	THE HOME DEPOT 19-00285 03/11/19 BLDGS & GRDS	Open	66.51
00973	THE TWO RIVER TIMES 19-00327 03/15/19 CLERK	Open	20.46
01243	TREASURER, STATE OF NEW JERSEY 19-00267 03/07/19 TIDELANDS	Open	200.00
01577	TREASURER, STATE OF NJ 19-00306 03/14/19 CLERK	Open	25.00
2487	UNIMAK, LLC 19-00333 03/15/19 NEW MUNICIPAL COMPLEX	Open	610,321.04
2291	VERIZON 19-00329 03/15/19 FIOS	Open	99.99
01960	VERIZON 19-00332 03/15/19 FIOS	Open	246.60
02061	VERIZON WIRELESS 19-00313 03/14/19 MDT FIRE DEPT	Open	192.05
	19-00314 03/14/19 CELL SERVICE	Open	104.72
	19-00315 03/14/19 CELL SERVICE	Open	149.48
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			446.25
01164	WATCHUNG SPRING WATER CO, INC. 19-00326 03/15/19 SPRING WATER	Open	317.56
00077	WEX BANK 19-00308 03/14/19 GASOLINE	Open	3,903.98
2558	WILLIAMS SCOTSMAN, INC. 19-00316 03/15/19 TRAILERS	Open	2,527.48

**TOTAL: \$778,021.12**

## MANUAL CHECKS:

3/14/2019	Gannett NJ	
19-00303	Planning Board:Legal Ads/Escrow Accts.	\$61.44
3/7/2019	Hoder, David	
19-00261	Engineer:Review/Inspctn-Escrow Accts.	\$1,762.50
3/15/2019	NJ DEPT OF HEALTH	\$9.00
19-00323	MONTHLY DOG REPORT/FEES	

TOTAL: \$1,832.94

GRAND TOTAL: \$779,854.06

**COUNCIL COMMITTEE REPORTS:****BEACH/GRANTS:**

Committee Chair Schwartz stated that he has made plans with Shawn Thomas from Public Works to walk the beach and address the dunes. Progress on all other matters.

**FINANCE/INSURANCE/COURT:**

Committee Chair Keeler reported that we received a positive response from the lawyer we asked to be the Alternate Public Defender. He also reminded Council that this Saturday is the budget workshop meeting at 10 am.

**ADMINISTRATION/SHARED SERVICES/PUBLIC RELATIONS:**

Committee Chair Leckstein reported progress.

**PUBLIC SAFETY/EDUCATION/RECREATION/LIBRARY:**

Committee Chair Rooney reported progress with public safety. We are still waiting on the feasibility study for education. Saturday was the library's grand opening and it was an amazing day in Sea Bright. People were amazed by this building and the views. He is looking forward to great things to come this year with the library. Reported progress on all other matters.

**PUBLIC WORKS/BUILDING DEPARTMENT:**

Committee Chair Birdsall thanked public works for transporting all of the library's materials from the Church to the new building. Public Works also had inspectors come out to make sure the pump stations were functioning properly which they were. Beach cleaning in north beach was completed before the bird nesting deadline of March 15<sup>th</sup> with assistance from the Monmouth County inmates. Reported Progress on all other matters.

**CAPITAL PLAN/FLOOD CONTROL/BEAUTIFICATION:**

Committee Chair Kelly reported progress.

**MAYOR DINA LONG – Reports and Communications**

Mayor Long reported progress.

**REMINDER:**

**Budget Workshop – Saturday, March 23 at 10 a.m.**

**EXECUTIVE SESSION**

Councilmember Leckstein 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. Contracts

- 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, Leckstein, Rooney, Schwartz  
Yes Yes Yes Yes Yes Yes

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

**ADJOURNMENT**

Councilmember Leckstein offered a motion to adjourn the meeting; seconded by Councilmember Kelly:

**Roll Call:** Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz  
Yes Yes Yes Yes Yes Yes

Respectfully submitted,

Christine Pfeiffer  
Borough Clerk