

**MINUTES
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

APRIL 2, 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 Richard Shaklee, Administrator Joseph L. Verruni,
CFO Michael J. Bascom, Engineers Fran Mullan & Claire Petruzzella,
Clerk Christine Pfeiffer

MOMENT OF SILENCE FOR THE FOLLOWING SEA BRIGHTER WHO PASSED AWAY.
Dr. Douglas O'Connor

INDIVIDUAL ACTION:
RESOLUTIONS:

No. 62-2019 Police Department Promotions

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

WHEREAS, the Chief of Police of the Sea Bright Police Department has recommended the following promotions:

<u>EMPLOYEE</u>	<u>CURRENT</u>	<u>NEW APPOINTMENT</u>
John Arias	Lieutenant \$118,421.95	Captain \$126,932.33
James McCue	Sergeant \$113,009.43	Lieutenant \$121,383.56
Richard Huegel	Patrolman \$101,329.51	Sergeant \$115,272.09

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, certify that funds are available in Police Salaries and Wages for the purposes stated herein.


MICHAEL J. BASCOM, CFO

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that the promotions indicated above are approved and become effective April 2, 2019; and

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

1. Chief of Police
2. Finance Manager
3. John Arias
4. James McCue
5. Richard Huegel

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

POLICE DEPARTMENT OATHS

EMPLOYEE	NEW APPOINTMENT
John Arias	Captain
James McCue	Lieutenant
Richard Huegel	Sergeant

MAYOR LONG ADMINISTERED THE OATH OF OFFICE TO NEWLY APPOINTED POLICE OFFICERS

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.

Janet Hentschel, 7 East Church Street, questioned if there were any updates on the vacant lot on East Church Street – with the sand fencing. Administrator Verruni said he will get an update. Ms. Hentschel also questioned if we own or rent the Police Department trailer that is used for storage. Councilman Rooney believes that we own this storage trailer which they will need until they move into the new headquarters.

John Lamia, 2 Village Road, questioned why we are no longer allowed to have our recyclables in bags as it creates quite a nuisance on windy days – the bins do not prevent the contents from blowing out and about. Administrator Verruni explained that it is a regulation from Monmouth County landfill – they will no longer accept recyclables in bags.

Mike Castellano, Jersey Shore Surfrider Foundation, heard that we are looking rewrite our regulations concerning single use plastics in the Borough and wanted to come and share what other municipalities are doing. Councilman Leckstein invited him to attend the next Green Team meeting to take part in the open discussion with local businesses. He shared his enthusiasm on this topic and will certainly attend the upcoming Green Team meeting.

Linda Lamia, 2 Village Road, stated she was here to support Councilman Leckstein to keep Borough Hall for the children and want to assure that the Borough Hall property is not ever sold. Councilman Leckstein and Mayor Long explained that there is a deed restriction on the property and they have never heard of or participated in any conversations about selling that property.

Butch Hentschel, 7 East Church Street, asked if the zoning was ever going to change on East Church Street and East New Street from the B1 zone and explained he has been attending meetings for two years and was assured that it would be changed. Councilman Leckstein explained that the Master Plan is adopted by the Planning Board – the Council can submit recommendations but the Planning Board doesn't have to act on them. Attorney Richard Shaklee explained the process to change an adopted Master Plan is an extensive process that usually takes place every ten years. Mr. Hentschell also questioned that status of the sealing of the cracks on the seawall walkway. Mayor Long explained that the work has to be done in warmer weather.

JoAnn Kalaka-Adams, 1184 Ocean Avenue, expressed her concerns about the disrepair of certain sidewalks on Peninsula Avenue and Osborne Place and asked if any improvements were planned. Engineer Fran Mullan explained that he believes the driveways and sidewalks were designed to keep the water away from the homes and closer to the street. Ms. Kalaka also expressed her concerns about her Peninsula Avenue lot and the sidewalks surrounding it. She believes the sidewalks were damaged by trucks after Sandy dumping sand there. Administrator Verruni said the Borough did not use that lot after Sandy – it's possible it could have been NJDOT trucks.

CONSENT AGENDA

Councilman Keeler offered a motion to pull Resolution No. 53-2019 and Resolution No. 54-2019 from the Consent Agenda; seconded by Councilman Leckstein:

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

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

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

Resolutions:

**No. 63-2019 Accept the Performance Guarantee(s) for Block 30 Lot 39
344 Ocean Avenue Sea Bright Hospitality Group, LLC**

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

WHEREAS, the Borough of Sea Bright has approved a development project on Block 30, Lot 39 also known as Sea Bright Hospitality Group, LLC; and

WHEREAS, David J. Hoder, Hoder Associates, prepared a performance guarantee estimate dated January 31, 2019 for Sea Bright Hospitality Group, LLC; and

WHEREAS, Sea Bright Hospitality Group, LLC posted cash performance guarantees in the total amount of \$12,200.00, which includes a site bond in the amount of \$7,200.00 and a safety and stability bond in the amount of \$5,000.00 both of which were deposited with the Borough in accordance with the ordinances of the Borough of Sea Bright; and

WHEREAS, Sea Bright Hospitality Group, LLC also submitted a cash payment of five percent (5%) engineering inspection fees in the amount of \$2,585.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, that all requirements for entering into a developer's agreement are hereby waived; and

BE IT FURTHER RESOLVED that the performance guarantees and inspection fees are hereby accepted.

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

1. Borough Engineer
2. Construction Official
3. Finance Manager
4. Sea Bright Hospitality Group, LLC

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

**No. 64-2019 Authorize Submission of Tax Reimbursement Certificate in
Connection with the Recycling Tonnage Grant**

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

WHEREAS, the Recycling Enhancement Act, P.L. 2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and,

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and,

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law," the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for its recycling program; and,

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer, of the Borough of Sea Bright, do hereby certify a submission of expenditures for taxes paid in the amount of \$2,162.14 was received by this municipality.


MICHAEL J. BASCOM, CFO

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Sea Bright, County of Monmouth, State of New Jersey, that the Borough of Sea Bright hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2009, chapter 311, in 2018 the amount of \$2,162.14. Documentation supporting this submission is available with the Financial Manager at the Borough of Sea Bright Municipal Offices, 1167 Ocean Avenue, Sea Bright , NJ 07760 and shall be maintained for no less than five years from this date; and,

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

- 1. Chief Financial Officer
- 2. Finance Manager
- 3. Director of Public Works/Recycling Coordinator

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

No. 65-2019 2018 Recycling Tonnage Grant

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

WHEREAS, the Mandatory Source Separation and Recycling Act P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulation imposes on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for 2018 recycling tonnage grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council of the Borough of Sea Bright to the efforts undertaken by the municipality and the requirements contained in the recycling act and recycling regulations; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, that the Borough of Sea Bright hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Mark Philpot, Recycling Coordinator to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

- 1. New Jersey Department of Environmental Protection
- 2. Department of Public Works

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

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**No. 66-2019 Award of a Non Fair and Open Contract
Kevin P. Wigenton, Esq. Alternate Public Defender**

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

WHEREAS, the Borough is in need of an individual/firm to act as Alternate Public Defender to provide services that cannot be addressed by the Public Defender; and,

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5 (1)(a)) does not require competitive bidding for this position; and

WHEREAS, a letter was received from Kevin P. Wigenton of Wigenton Law Firm for Alternate Public Defender for the year 2019 at the rate of \$200 per assignment; and

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer, hereby certify that based on the amount of funds expended in the prior year for these services, it is estimated that the total 2019 appropriation for this contract will not exceed \$5,000.00, subject to unforeseen decreases or increases in litigation and other legal matters. Funds will be provided for the first three months of 2019 in the 2019 Temporary Budget and funds for the balance of 2019 will be provided in the Budget for the year 2019, when finally adopted, in the appropriation entitled Court #8-01-43-490-000.


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, does hereby award a professional service contract to Kevin P. Wigenton, Esq. of Wigenton Law Firm to serve as the Alternate Public Defender for the year 2019 pursuant to the rate provided in their letter dated March 19, 2019; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and directed to execute an agreement for the provision of such professional services, a copy of which shall be maintained by the Borough Clerk; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to advertise this award of contract according to law in the local newspaper and is further authorized to forward a certified copy of this resolution to the following:

- 1. Kevin P. Wigenton, Esq.
- 2. Finance Manager
- 3. Certified Court Administrator

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

**No. 67-2019 Amending Resolution No. 155-2018 Authorizing 2019
Beach Fee Schedule**

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

WHEREAS, the Borough Council of the Borough of Sea Bright established by Ordinance of the Borough Code, Section 66-20.1. Fees. The fees and charges of the Municipal Beach Authority shall be established annually by resolution of the Governing Body, and

WHEREAS, the Borough Council have recommended that the following beach fee schedule as follows:

<u>2019 BEACH FEES (per person)</u>	<u>AMOUNT</u>
SEASON BEACH BADGE (December 1-31, 2018)	\$ 50.00
SEASON BEACH BADGE (January 1, 2019 - March 31, 2019)	\$ 75.00
SEASON BEACH BADGE (April 1, 2019 - September 2, 2019)	\$ 100.00
SEASON SENIOR 65+ BADGE	\$ 35.00
SEASON DISABLED BADGE	\$ 35.00
DAILY BEACH BADGE (May 25, 2019 - September 2, 2019)	\$ 8.00
CHILDREN UNDER THE AGE OF 12	FREE
ACTIVE MILITARY & FAMILY MEMBERS/PERSONNEL	FREE
BEACH LOCKERS (December 1, 2018 until sold out)	
LARGE	\$ 275.00
SMALL	\$ 225.00

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BADGES WILL BE ON SALE AT BOROUGH HALL, 1167 OCEAN AVENUE:

MONDAY - FRIDAY 9 AM - 4 PM: **DECEMBER 1, 2018 thru MAY 24, 2019**

SATURDAYS 10 AM - 2 PM ON: **DECEMBER 15, 2018, JANUARY 19, 2019**
FEBRUARY 16, 2019, MARCH 30, 2019

BEACH OFFICE OPENS FOR SALES ON SATURDAY, MAY 25, 2019.

- **NO REPLACEMENT OR REFUND FOR LOST OR STOLEN BEACH BADGES**
- **NO REFUND ON BEACH LOCKERS**
- **BEACH BADGE DONATION REQUESTS WILL NOT BE ACCEPTED AFTER MARCH 31, 2019**

NOW, THEREFORE, BE IT RESOLVED that the 2019 Beach Fee Schedule is hereby authorized as indicated above.

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

1. Finance Manager
2. Beach Manager

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

No. 68-2019 Authorizing Contract Extension for Solid Waste and Recyclable Materials Collection and Disposal Services

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

WHEREAS, the Mayor and Council of the Borough of Sea Bright approved Resolution No. 195-2016 on December 13, 2016, awarding a contract for Municipal Solid Waste, Bulk and Recyclable materials to M & S Waste Services, Inc., Middletown, NJ; and

WHEREAS, in July, 2018, M & S Waste Services, Inc. assigned all of its rights, obligations and interest in the Borough's contract to Suburban Disposal; and

WHEREAS, the solid waste contract was for two years (January 1, 2017 through December 31, 2018) with the option of three one-year renewals beginning January 1, 2019; and

WHEREAS, the Borough Council authorized the Borough Administrator to exercise the extension option to continue the service for Municipal Solid Waste, Bulk and Recycling with Suburban Disposal Inc. of Fairfield, New Jersey for a period not to exceed 3 months (January 1, 2019 through March 31, 2019; and

WHEREAS, the Borough Council wish to continue services for an additional sixty (60) days commencing April 1, 2019 through May 31, 2019; and

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 the Mayor and Municipal Clerk to execute a contract with Suburban Disposal Inc. of Fairfield, New Jersey to continue solid waste and recyclable materials collection and disposal services for an additional 60 days in accordance with the provisions of the attached Addendum to the Agreement; and

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

1. Borough Attorney
2. Finance Manager
3. Fiscal Officer
4. DPW Director

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

Mayor Long explained that Resolution No. 53 and 54-2019 create an escrow account for the representative who wants to do these projects to deposit money to allow the Borough to pay for any engineering, legal or other studies concerning these projects. This does not mean that the Borough is definitely moving forward with these projects but instead that we are willing to accept escrow for further research and investigation.

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Councilman Keeler asked if we had a sense of what the costs of such research might be – Administrator Verruni said we do not, but if the expenses exceed the \$3,000.00, then more money would be requested.

Councilmember Leckstein offered a motion to approve Resolution No. 53-2019 and 54-2019; seconded by Councilmember Schwartz:

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

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

WHEREAS, during its regular meeting held on April 19, 2016, the Borough Council adopted Resolution No. 79-2016 authorizing the Planning Board of the Borough of Sea Bright to conduct a study of certain properties to determine if they qualify to be a "Condemnation Redevelopment Area" pursuant to the provisions of the Local Redevelopment Housing Law; and
WHEREAS, the said authorization involved consideration of all, or a portion of, the following properties:

**Block 15, Lots 2, 3, and 4
Sea Bright, NJ**

WHEREAS, the Planning Board upon giving due notice to the owners of the aforesaid properties, conducted a public hearing on June 14, 2016 during which it considered and produced a study declaring that the aforesaid properties met one or more of the statutory criteria in order to be designated as a condemnation area in need of redevelopment; and

WHEREAS, the Borough Council during its regular meeting held on November 14, 2016 adopted Resolution No. 135-2016 which officially adopted the aforesaid study of the Planning Board; and

WHEREAS, by way of Resolution No. 112-2018, adopted on June 16, 2018, the Borough Council requested proposals for the potential redevelopment of the aforesaid properties; and

WHEREAS, The Break at Sea Bright, LLC did respond to the request for proposals and now seeks to be appointed the Official Redeveloper and to subsequently develop the aforesaid properties, or a portion thereof, in the general manner set forth in the Redeveloper's written proposal; and

WHEREAS, in connection therewith, it will be necessary for the Borough to engage Consultants and Professionals with respect to The Break at Sea Bright LLC's Proposal, with respect to the review of the project, and with respect to the review of other information related thereto (hereinafter collectively referred to as the "Undertakings"); and

WHEREAS, The Break at Sea Bright LLC recognizes that the Borough will incur costs and expenses in connection with the aforesaid undertakings; and

WHEREAS, The Break at Sea Bright, LLC is willing to defray the Borough's costs and expenses in the said regard, with no assurance of any particular result; and

WHEREAS, The Break at Sea Bright, LLC has therefore agreed to deposit with the Borough an initial amount of Three Thousand (\$3,000.00) Dollars (hereinafter referred to as the "Escrow Deposit"), to be deposited in an escrow account, and held and disbursed in accordance with the provisions of the within Agreement; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, does hereby agree to hold \$3,000.00 in an escrow account to be disbursed as payment for costs incurred by the Borough to engage Consultants and Professionals in connection with the review of the proposed Redevelopment plan for The Break at Sea Bright, LLC; and

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

- 1. Fiscal Officer
- 2. The Break at Sea Bright, LLC

Roll Call: Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz
 Yes No Yes Yes Yes Yes

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

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

WHEREAS, on December 11, 2018, Brooks Real Estate Development, LLC, the representative of the owner of certain properties located within the Borough, appeared before the entire community during a special town hall meeting to present concept plans for the development of those properties which would be known as "Haven At Sea Bright"; and

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WHEREAS, the said concept plans involve a proposal to develop all, or a portion of, the following properties:

**Block 13, 14 and 15
Lots 12-18, 20-22, 12&14, and 5-12
Sea Bright, NJ**

WHEREAS, the Borough Council wishes to explore this proposal further but recognizes that prior to doing so it will be necessary for the Borough to engage Consultants and Professionals with respect to the proposal, with respect to the review of the proposed project, and with respect to the review of other information related thereto (hereinafter collectively referred to as the "Undertakings"); and

WHEREAS, Brooks Real Estate Development, LLC recognizes that the Borough will incur costs and expenses in connection with the aforesaid undertakings; and

WHEREAS, Brooks Real Estate Development, LLC is willing to defray the Borough's costs and expenses in the said regard, with no assurance of any particular result; and

WHEREAS, Brooks Real Estate Development, LLC has therefore agreed to deposit with the Borough an initial amount of Three Thousand (\$3,000.00) Dollars (hereinafter referred to as the "Escrow Deposit"), to be deposited in an escrow account, and held and disbursed in accordance with the provisions of the within Agreement; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, does hereby agree to hold \$3,000.00 in an escrow account to be disbursed as payment for costs incurred by the Borough to engage Consultants and Professionals in connection with the review of the proposal submitted by Brooks Real Estate Development, LLC for Haven at Sea Bright; and

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

- 1. Fiscal Officer
- 2. Brooks Real Estate Development, LLC

Roll Call: Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz
 Yes No Yes Yes Yes Yes

ORDINANCE(s):

Public Hearing: 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 PROBIHITION ESTABLISHED THEREIN**

Councilmember Leckstein offered a motion to open the public hearing on Ordinance No. 05-2019; seconded by Councilmember Birdsall:

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

Public Hearing (Ord. No. 05-2019)
No one wished to be heard.

Councilmember Leckstein offered a motion to close the public hearing on Ordinance No. 05-2019; seconded by Councilmember Birdsall:

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

Councilmember Leckstein offered a motion to adopt Ordinance No. 05-2019 and advertise according to law; seconded by Councilmember Kelly:

Roll Call: Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz
 Yes Yes Yes Yes Yes No

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Public Hearing: 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 open the public hearing on Ordinance No. 06-2019; seconded by Councilmember Rooney:

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

Public Hearing (Ord. No. 06-2019)
No one wished to be heard.

Councilmember Leckstein offered a motion to close the public hearing on Ordinance No. 06-2019; seconded by Councilmember Rooney:

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

Councilmember Leckstein offered a motion to adopt Ordinance No. 06-2019 and advertise according to law; seconded by Councilmember Birdsall:

Roll Call: Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz
Yes No Yes Yes Yes Yes

Introduction: Mayor Long to read the ordinance by title:

ORDINANCE NO. 07-2019
**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 201,
"VEHICLES AND TRAFFIC", OF THE CODE OF THE BOROUGH OF SEA BRIGHT**

Councilmember Leckstein offered a motion to change the amendment to section 201-6A(2) concerning the parking regulations governing West Ocean Avenue to thirty-minute parking time limit; seconded by Councilmember Birdsall:

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

Councilmember Rooney offered a motion to remove the amendment to section 201-4C(2) concerning regulations governing Route 36 (Southbound) to retain the thirty-minute parking time limit and change the amendment to section 201-4C(1) governing Route 36 (Northbound) to thirty-minute parking time limit; seconded by Councilmember Schwartz:

Chief Brett Friedman said he would favor the one hour parking time limit but would support whatever Council decided. The Chief explained that it takes parking enforcement officers at least an hour to make their way through town. Councilman Rooney said that he believes turnover is the key for the businesses and thinks thirty-minute parking is the way to go.

Councilmember Leckstein offered a motion to re-open the public comment portion of the meeting; seconded by Councilmember Birdsall: and the following vote was taken:

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

REMARKS FROM THE AUDIENCE

Kenny Gambella, business owner of Sonny's and Gigi's commented that the 30 minute parking is great during the day but more than an hour is better in the evenings for the dinner hour. Mr. Gambella thinks the real problem to be addressed is the number of spaces available.

Councilmember Leckstein offered a motion to close public comment portion of the meeting; seconded by Councilmember Birdsall:

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

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Vote on Councilmember Rooney’s motion to amend: Councilmember Rooney offered a motion to remove the amendment to section 201-4C(2) concerning regulations governing Route 36 (Southbound) to retain the thirty-minute parking time limit and change the amendment to section 201-4C(1) governing Route 36 (Northbound) to thirty-minute parking time limit; seconded by Councilmember Schwartz:

Roll Call: Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz
No No Yes No Yes Yes

Tie Vote: Mayor Long
Yes

Motion Carries.

Councilmember Leckstein offered a motion to introduce Ordinance No. 07-2019, as amended, for a public hearing to be held on April 16, 2019 and advertise according to law; seconded by Councilmember Birdsall:

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

ORDINANCE NO. 07-2019

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 201, “VEHICLES AND TRAFFIC”, OF THE CODE OF THE BOROUGH OF SEA BRIGHT

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

SECTION ONE: Chapter 201, “Vehicles and Traffic”, of the Code of the Borough of Sea Bright, be and the same is hereby amended and supplemented to read, in full, as follows:

“Chapter 201. Vehicles and Traffic

Article I. Traffic and Parking

§ 201-1. One-way streets.

The following roadways are hereby established as one-way streets:

Name of Street	Direction of Travel	Location
Beach Street	Westbound	Entire length
East Surf Street	Eastbound	Entire length
Front Street	Northbound Surf Street	Between Beach Street and
Front Street	Southbound Surf Street	Between Beach Street and
New Street	Westbound	Entire length
Riverview Place Extension	Eastbound and Ocean Avenue	Between Riverview Place
Surf Street	Eastbound	Entire length
Tradewinds Lane	Southbound	Entire length
Village Road	Counterclockwise	Entire length
Wayne Street	Southbound Borough Hall	From East Surf Street to the north
West Ocean Avenue	Southbound Center Street	perimeter of the parking lot behind Between Surf Street and Center Street

§ 201-2. Prohibited parking.

No person shall park a vehicle at any time on the following described streets or parts thereof on the side designated:

Name of Street	Side	Location
Bellevue Place	Both	Entire length
East Surf Street	Both	Entire length
Front Street	West	Entire length
Mountainview Way	Both	Entire length
Sandpiper Lane	Both	Entire length and cul-de-sac
South Street	South	Entire length
Surf Street	North	Entire length
Village Road	Both	North section
Village Road	Both	South section
Village Road	West	East section
Waterview Way	Both	From westerly end of street eastward to intersection of North Way
Wayne Street	East	Entire length
Willow Way	Both	Entire length

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§ 201-3. Prohibited parking of certain vehicles.

- A. No vehicle over 17 feet long and six feet seven inches in width shall be parked on either side of any side street of the Borough of Sea Bright between the hours of 6:00 p.m. and 6:00 a.m. of any day of the week.
- B. The words "side street" shall include all streets in the Borough with the exception of State Highway 36 (Ocean Avenue).
- C. "Vehicle," as used in this section, shall mean any motor vehicle that is required by law to bear any license plate for passenger car use. Also, any motor vehicle which, by reason of a characteristic, coloring or marking exceeding one square foot in area, is identified or commonly associated with any business, industry or public agency shall be considered a vehicle within the terms of this section. A passenger car used in business by a resident shall be considered a "vehicle" for purposes of this section.
- D. No recreational vehicles shall be permitted in any Borough-owned parking lot or on any Borough street between the hours of 6:00 p.m. and 6:00 a.m.

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§ 201-4. Regulations governing Route 36.

- A. No stopping or standing is permitted along both sides of Route 36 from County Road 520 North to the Bridge and Center Street South to Monmouth Beach.
- B. No stopping or standing is permitted along one side, northbound easterly, of Route 36 from the northerly curb line of River Street to County Road 520 and the from the northerly cub line of Center Street to the southerly curb line of East Church Street.
- C. Parking is established as follows:

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- (1) Northbound on Route 36, thirty-minute time limit parking between 10:00 a.m. and 6:00 p.m., Sunday through Saturday, including holidays.
 - (a) Beginning at the northerly curb line of East Church Street extending 220 feet northerly therefrom.
 - (b) Beginning at the northerly curb line of River Street and extending 555 feet northerly therefrom.

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- (2) Southbound on Route 36, thirty-minute time limit parking between 10:00 a.m. and 6:00 p.m., Sunday through Saturday, including holidays.
 - (a) Beginning at a point 395 feet south of the southerly curb line of Rumson Road (County Road 520) and extending to the northerly curb line of Center Street.

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- D. Bus stops:
 - (1) Northbound Route 36 at curb south of River Street, no parking in designated area.

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- E. Speed limits. The rate of speed designated for State Highway Route NJ 36/Ocean Avenue in Sea Bright Borough shall be established and adopted as the maximum legal rate of speed:
 - (1) For both directions of traffic from September 15 to May 15 annually:
 - (a) Zone 1: 40 miles per hour between the Monmouth Beach Borough-Sea Bright Borough corporate line and Marius Lane (approximate mileposts 8:00 to 8:82).
 - (b) Zone 2: 30 miles per hour between Marius Lane and 500 feet north of Rumson Road (County Road 520) (approximate mileposts 8:82 to 9:38).
 - (c) Zone 3: 40 miles per hour between 500 feet north of Rumson Road (County Road 520) and the Sea Bright Borough-Highlands Borough corporate line (approximate mileposts 9:38 to 11.68).
 - (2) For both directions of traffic from May 15 to September 15 annually:
 - (a) Zone 1: 35 miles per hour between the Monmouth Beach Borough-Sea Bright Borough corporate line and Marius Lane (approximate mileposts 8.00 to 8.82).
 - (b) Zone 2: 30 miles per hour between Marius Lane and 500 feet north of Rumson Road (County Road 520) (approximate mileposts 8.82 to 9.38).
 - (c) Zone 3: 35 miles per hour between 500 feet north of Rumson Road (County Road 520) and the Sea Bright Borough-Highlands Borough corporate line (approximate mileposts 9.38 to 11.68).

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§ 201-5. Regulations governing East Ocean Avenue.

- A. General parking.
 - (1) All vehicles shall be parked in designated areas and between the lines provided.
 - (2) No person shall park a vehicle for longer than the time limit upon any of the streets or parts of streets described below:

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C. One-way streets. The following described streets or parts of streets are hereby designated as one-way streets:

Name of Street	Direction	Limits	Parking Prohibited
West Ocean Avenue	South	From Surf Street to Center Street	East side

D. Speed limits.

(1) The speed limit for the direction of travel on the following roadway shall be:

Name of Street	Speed Limit (mph)	Limits
West Ocean Avenue	15	Entire length

(2) Regulatory and warning signs shall be erected and maintained to effect the above-designated speed limits.

E. Tow-away zones. Any vehicle parked or standing as to obstruct or impede a normal flow of traffic, block entrances or exit ways, fire zones, loading zones, oil fills, any grassy area or pedestrian walkway, or to present in any way a safety or traffic hazard may be removed by towing the vehicle at the owner's expense.

F. All signs, posts or other necessary materials installed by the Borough shall conform to the current Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-198 and 39:4-183.27.

§ 201-7. Loading and unloading.

A. All loading and unloading of trucks and delivery vehicles shall be made with such trucks or vehicles parked parallel with the curb line.

B. Loading zones. The locations described below are hereby designated as loading zones. No person shall park a vehicle in said location during the times indicated other than for the loading or unloading of goods and materials.

Streets	Time	Sides	Location
Beach Street	7:00 a.m. to 3:00 p.m.	South west thereof	From Ocean Avenue to a point 135 feet
East Surf Street	8:00 a.m. to 6:00 p.m.	South	25 feet east from the apex (corner) of East Ocean Avenue and East Surf Street
East Surf Street	8:00 a.m. to 6:00 p.m.	South	25 west from the apex (corner) of Wayne Street and East Surf Street

§ 201-8. Reserved.

§ 201-8.1 Pay to Park Areas.

A. No person shall park a vehicle in municipality regulated pay to park areas without paying the required parking fee.

B. Parking of vehicles in municipally regulated pay to park areas shall be permitted at such rates for paid parking as set forth in rules and regulations adopted by Resolution of the Mayor and Council.

Article II. (Emergency) Street Clearance

§ 201-9. Declaration of emergency.

Upon declaration of an emergency, there shall be no parking upon streets or sections of streets where temporary emergency no-parking signs are displayed. The Chief of Police or, in his absence, the ranking police officer is authorized to declare an emergency and to direct the posting of said emergency no-parking signs when weather conditions, accidents, fires or public celebrations dictate or require the avoidance of hazards or other conditions which interfere with the free flow of traffic. Notification that the emergency no-parking signs are being or will be posted shall be given to the operator or owner of any vehicle which has been parked prior to the posting of the signs.

§ 201-10. Removal of illegally parked vehicles; redemption fee.

Any unoccupied vehicle parked or standing in violation of this Chapter shall be deemed a nuisance and a menace to the safe and proper regulation of traffic, and any police officer may provide for the removal of said vehicle. The owner shall pay the reasonable cost of the removal and storage which may result from such removal before regaining possession of the vehicle.

may result therefrom, and any person, firm or corporation desiring to claim such motor vehicle may do so by first paying the parking fine and then paying the costs and expenses of such removal and storage.

Article V. Removal of Vehicles for Plowing of Streets

§ 201-20. Parking prohibited on certain streets.

- A. Parking is prohibited on all streets in the Borough where signs have been erected indicating such prohibition for purposes of snowplowing by the Borough.
- B. Any unoccupied vehicle parked or standing in violation of this article shall be deemed a nuisance and any police officer may provide for the removal and subsequent storage of said vehicle. The owner shall pay the reasonable costs incidental to said removal and storage before regaining possession of the vehicle.

Article VI. Handicapped Parking

§ 201-21. Definitions.

As used in this article, the following terms have the following meanings:

HANDICAPPED PARKING SPACE

Any parking space marked with a white striped outline and designated by a sign that contains the reserved parking with universal handicapped symbol in accordance with the R7-8 and R7-8P reserved parking sign and penalty plate of the current Manual on Uniform Traffic Control Devices.

§ 201-22. Handicapped parking spaces to be provided.

The Borough of Sea Bright shall maintain handicapped parking places at the following locations:

Parking Area	Number of Handicapped Spaces
East Ocean Avenue Municipal Three (3)	
Parking Lot	
Main/Peninsula-House Municipal Eleven (11)	
Lot	
Peninsula-House Municipal	Four parking spaces closest to the entrance area to the Borough Beach
Parking Lot	Four parking spaces located to the entrance onto State Highway Route N. 36 on the south side
Wayne Street Municipal Parking	Two (2)
Lot	
West Ocean Avenue	One (1)
Anchorage Lot	Two (2)

§ 201-23. Restricted parking spaces.

Parking spaces restricted to occupants of the following premises shall be maintained as follows:

Name of Street	Location
15 Church Street	North side
17 Church Street	North side

§ 201-24. Construction guidelines; signs.

Parking spaces for the handicapped shall be constructed and marked with signs in accordance with the Uniform Construction Code of the State of New Jersey, Barrier Free Subcode.

§ 201-25. Parking prohibited without identification marker.

No person shall park a vehicle in any parking space designated and marked as being set aside for the handicapped in any public or private parking facility unless said vehicle shall have affixed thereto an identification certificate or marker issued by the New Jersey Motor Vehicle Commission. Parking in a handicapped space without the aforesaid identification shall create a rebuttable presumption that use of the space was not for the handicapped.

Article VII. Mid-Block Crosswalks

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B.	Willfully providing any false or inaccurate information for the purpose of obtaining a permit hereunder.	Formatted
§ 201-33.	Reproduction of residential parking permits prohibited.	Formatted: Font: Palatino Linotype, Font color: Text 1
A.	No person, unless authorized by the Borough of Sea Bright, shall:	Formatted
(1)	Copy, reproduce or otherwise create a resident parking permit authorized by § 201-31 above.	Formatted
(2)	Create a facsimile or counterfeit resident parking permit.	Formatted: Default Paragraph Font, Font: Palatino Linotype, Font color: Text 1
(3)	Display or use a residential parking permit knowing the same to have been copied, reproduced or otherwise created in violation of Subsections A or B of this section.	Formatted
B.	No person shall furnish false information or fraudulent documents in connection with an application for a residential parking permit.	Formatted
C.	Any person violating the provisions of Subsections A and B of this section is subject to a fine not to exceed \$300 and forfeits the right to receive or use a residential parking permit under this chapter for a period of three years.	Formatted: Default Paragraph Font, Font: Palatino Linotype, Font color: Text 1
D.	No residential parking permit shall be issued to a person with three or more outstanding summonses for violations of this chapter.	Formatted
§ 201-34.	Term of permits.	Formatted: Font: Palatino Linotype, 11 pt, No underline, Font color: Text 1
	Residential parking permits shall be valid from May 1 thru October 1 of each year as indicated on the parking permit placard. Any vehicle bearing an expired residential parking permit and parking on a street posted as "Residential Permit Parking Only" shall be subject to the penalty as a vehicle parked on the street without a resident permit as set forth in § 201-36 below.	Formatted: Font: Palatino Linotype, 11 pt, No underline, Font color: Text 1
§ 201-35.	Exemptions.	Formatted
	The prohibition set forth in § 201-38 below shall not apply to the following:	Formatted: Font: Palatino Linotype, 11 pt, No underline, Font color: Text 1
A.	Contractor/service and delivery vehicles. Contractor, service and deliver vehicles bearing the name and address of a commercial business may park adjacent to the residential premises where they are working without a permit during the times they are rendering service.	Formatted
B.	Emergency and utility vehicles. Emergency vehicles, municipal vehicles, gas, electric, telecommunications and other similar vehicles may park within the Borough during times they are rendering service or repairs within the Borough.	Formatted
C.	Health care providers. Health care providers may park their vehicles within the Borough during the times they are rendering assistance or health care service to residents of the Borough. "Health care provider" is defined as a nurse, home health aide, physical therapist or any other medical professional. A health care provider can obtain a badge to display on his or her windshield from the Sea Bright Police Department. Such a badge is not transferrable to another health care provider. Such badges may be issued on a daily or monthly basis by the Sea Bright Police Department.	Formatted
§ 201-36.	Violations and penalties.	Formatted: Font: Palatino Linotype, 11 pt, No underline, Font color: Text 1
A.	Any vehicle parked on a street posted "residential permit parking only" without a valid residential parking permit shall be subject to a parking fine of \$50.	Formatted
B.	Any violation of § 201-32 above shall result in the offending person being subject to a fine in the amount of \$150 for a first offense and \$300 for each subsequent offense thereafter.	Formatted
C.	The possession of a residential parking permit does not exempt the resident from obeying all traffic rules, regulations and ordinances, including but not limited to parking too close to stop signs or intersections.	Formatted: Font: Palatino Linotype, 11 pt, No underline, Font color: Text 1
D.	The Sea Bright Police Department may remove and impound any vehicles which are parked in violation of this article. The cost of said removal shall be borne by the vehicle owner or lessee.	Formatted
§ 201-37.	Enforcement.	Formatted: Font: Palatino Linotype, 11 pt, No underline, Font color: Text 1
A.	The Sea Bright Police Department shall have the authority to issue summonses for violations of this article.	Formatted
B.	Enforcement of this article shall be under the jurisdiction of either the Sea Bright Police Department and/or Chief of Police of the Sea Bright Police Department.	Formatted
§ 201-38.	Residential permit parking designated.	Formatted: Font: Palatino Linotype, 11 pt, No underline, Font color: Text 1
A.	No person shall park or cause to be parked any vehicle on streets or parts of streets as described within the following sections unless an appropriate and current parking permit issued by the Borough of Sea Bright is displayed on said vehicle for those streets or parts of streets as described or listed with the following sections:	Formatted
	Name of Street	Formatted
	Side	Formatted
	Beach Street	Formatted
	North/South	Formatted

Beach Way	North	Formatted
Center Street	North/South	Formatted
Church Street	North/South	Formatted
East Church Street	North/South	Formatted
East New Street	South	Formatted
Front Street	East	Formatted
New Street	North/South	Formatted
Normandy Place	East	Formatted
North Way	East	Formatted
Peninsula Avenue	North/South	Formatted
River Street	North/South	Formatted
South Street	North	Formatted
Surf Street	South	Formatted
Via Ripa	South	Formatted
Waterview Way	North	Formatted
B. Effective 24 hours a day, seven days a week, the side or sides of every designated street will be limited to resident permit parking only. These zones are valid only for vehicles displaying a valid resident parking permit and are indicated by signage.		Formatted
Article IX. Business Permit Parking		Formatted
§ 201-39. Rules and regulations.		Formatted
A. The purpose of the business permit parking program is to establish a parking program in those business areas of the Borough in order to facilitate and make more convenient parking within the Borough for persons who work in the commercial areas of the Borough; to protect residential areas from excessive traffic and parking demands caused by the entry of business vehicles from outside the residential neighborhood; and to identify the areas of the Borough where business parking is preserved so as to not interfere with the provision of parking for the general public.		Formatted
B. Application for business parking permits shall be made on a form issued by the Sea Bright Police Department. All applicants shall identify the location of their business in the Borough, as well as the vehicles that may utilize the parking permit. The businesses that do not have on-site parking that are located in the B-1 Central Business District area of the Borough shall be eligible to apply for a business parking permit provided they show proof of a valid mercantile license for the current year. The issuance of a business parking permit is not a representation by the Borough of a guaranteed parking space for the business that is issued such a parking permit. Completed applications shall be submitted to the Sea Bright Police Department.		Formatted
C. The business parking permits shall be issued by the Sea Bright Police Department. Applicants shall supply the following information: business name, address and telephone number; a copy of a valid mercantile license for the current year; number of permits requested; license plate and owner of vehicles who are employed at the business who shall be the sole users of these permits; and such other information as deemed necessary by the Sea Bright Police Department. A vehicle that is not properly registered and licensed in the State of New Jersey shall not be permitted to use a business parking permit. Permitted vehicles shall be private passenger automobiles, motorcycles, motor scooters and light commercial vehicles not in excess of 25 feet in length. It shall be unlawful to park any other vehicle.		Formatted
D. Permit applications shall be available at the Sea Bright Police Department.		Formatted
E. The business parking permit placard is to be placed on the rear-view mirror of the vehicle for the business that has been issued the permit.		Formatted
F. The cost of the permit shall be \$75 per permit. The fees collected shall be used to offset the cost of administering this program.		Formatted
G. The sale or transfer of a permit is prohibited by anyone other than the Sea Bright Police Department. Permits are only valid for the business they are issued to by the Borough Police Department.		Formatted
H. There shall be a maximum of five parking permits issued for each business applicant without on-site parking available.		Formatted
§ 201-40. Abuse of permit.		Formatted
Business parking permits are subject to revocation for the following:		Formatted
A. If any such permit is used on any vehicle that it is not regulated to the business to which the permit was issued.		Formatted
B. Willfully providing any false or inaccurate information for the purpose of obtaining a permit hereunder.		Formatted

§ 201-41. Reproduction of permits.	Formatted
Reproduction of business parking permits is prohibited.	Formatted
§ 201-42. Term of permits.	Formatted
Business parking permits shall be valid from May 1 to October 1 in each year. Any vehicle bearing an expired business parking permit and parking in a parking space posted as "business permit parking only" shall be subject to the penalty as set forth in § 201-44 below.	Formatted
§ 201-43. Exemptions.	Formatted: Font: Palatino Linotype, Bold, No underline, Font color: Text 1
The prohibition set forth in § 201-45 below shall not apply to emergency and utility vehicles. Emergency vehicles, municipal vehicles, gas, electric, telecommunications and other similar vehicles may park within the Borough during times they are rendering service or repairs within the Borough.	Formatted
§ 201-44. Violations and penalties.	Formatted
A. Any vehicle parked in a space posted "business permit parking only" without a valid business parking permit shall be subject to a parking fine in the amount of \$100.	Formatted
B. Any violation of § 201-40 above shall result in the offending person being subject to a fine in the amount of \$150 for a first offense and \$300 for each subsequent offense thereafter.	Formatted: Font: Palatino Linotype, 11 pt, No underline, Font color: Text 1
C. The possession of a business parking permit does not exempt the vehicle operator from obeying all traffic rules, regulations and ordinances, including but not limited to parking too close to stop signs or intersections.	Formatted
D. The Sea Bright Police Department may remove and impound any vehicles which are parked in violation of this article. The cost of said removal shall be borne by the vehicle owner or lessee.	Formatted
§ 201-45. Parking Prohibited.	Formatted
No person should park or cause to be parked any vehicle in a designated business parking space unless a current, valid parking permit is displayed on such vehicle.	Formatted: Font: Palatino Linotype, 11 pt, No underline, Font color: Text 1
§ 201-46 through § 201-47 (RESERVED)	Formatted
Article X. FIRE ZONES	Formatted: Default Paragraph Font, Font: Palatino Linotype, Font color: Text 1
§ 201-50. Fire zones designated.	Formatted
A. The following fire zones are established:	Formatted: Default Paragraph Font, Font: Palatino Linotype, Font color: Text 1
(1) Any and all fire hydrants shall be covered under Title 39, New Jersey State Motor Vehicle Statute.	Formatted
(2) Waterview Way - from the end of street bulkhead to a point 49 feet east.	Formatted
(3) Via Ripa - from the end of street bulkhead to a point 51 feet east to include the paper street proceeding to South Way.	Formatted: Default Paragraph Font, Font: Palatino Linotype, Font color: Text 1
(4) South Way - from the end of street bulkhead to a point 43 feet east.	Formatted
(5) Beach Way - from the end of street bulkhead to a point 25 feet east.	Formatted
(6) Atlantic Way - from the end of street bulkhead to a point 72 feet east along south side curb line. South to north distance shall be 12 feet in width.	Formatted: Default Paragraph Font, Font: Palatino Linotype, Font color: Text 1
(7) Willow Way - from the end of street bulkhead to a point 86 feet east. From the north side bulkhead south to a distance of 50 feet.	Formatted
(8) Shrewsbury Way - from the end of street bulkhead to a point 18 feet east. All other fire zones should be removed and new no parking or two zones should be created.	Formatted: Default Paragraph Font, Font: Palatino Linotype, Font color: Text 1
(9) Riverview Place - from the corner of Shrewsbury Place to a point 40 feet south on the east side of the street; from the corner of Shrewsbury Place to a point 36 feet south on the west side of the street.	Formatted
(10) River Way - from the end of street bulkhead to a point 26 feet east.	Formatted
(11) Peninsula Ave - from the end of street bulkhead to a point 36 feet east.	Formatted
(12) River Street - from the end of street bulkhead to a point 21 feet east.	Formatted
(13) Church Street - from the end of street bulkhead to a point 80 feet east; from the north side curb line to a point 25 feet south.	Formatted
(14) Beach Street - from the end of street bulkhead to a point 24 feet east.	Formatted
(15) Center Street - from the end of street bulkhead to a point 41 feet east.	Formatted
(16) Osborne Place - from the end of street bulkhead to a point 36 feet east.	Formatted
(17) Islandview Way - from the end of street bulkhead to a point 25 feet east; must be painted and new signs placed.	Formatted
(18) Imbrie Place - from the end of street bulkhead to a point 27 feet east.	Formatted
(19) Tradewinds Lane - the entire length of the east side.	Formatted
(20) Sandpiper Lane - end of street turnaround shall be zoned fire lane.	Formatted

B. Bureau of Fire Prevention. Upon the finding that such action is necessary for public safety, the Bureau of Fire Prevention in the Borough of Sea Bright may require the owner or owners of any shopping center, commercial structure, place of public assembly, multiple dwelling groups, or industrial park office buildings to designate "fire zone" in the driveways of the premises leading to and from the parking area to the above-type buildings or structures, public streets or rights-of-way. Such fire zones, also known as "fire lanes," shall be no less than 10 feet nor more than 50 feet in width and shall be outlined and lettered in yellow on a paved surface, such lettering to remain legible at all times. Metal "fire zone" signs, the lettering of the same to be legible at all times, shall be provided, erected and maintained by said owner or owners and placed at the discretion of the Bureau of Fire Prevention. Said signs are to be of a design and quality and lettered in accordance with applicable state law and approved by the Bureau of Fire Prevention.

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C. Violations and enforcement.

- (1) Any person who parks a vehicle in, obstructs, or allows the obstruction of a designated fire lane who is found to be in violation of the provisions of this article shall be subject to the penalties as provided in Chapter 1, General Provisions, Article I.
- (2) Any vehicle or object obstructing a designated fire lane, whether public or private, may be towed or removed without prior notification of the owner, and at the owner's expense.
- (3) The registered owner of the vehicle parked in the fire lane shall be responsible for all penalties issued and any towing or related charges accruing hereunder.

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Article XI. Municipal Buildings and Parking Lots (Reserved)

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 according to law and upon filing with the Monmouth County Planning Board.

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 2, 2019 and will be further considered after a Public Hearing held on April 16, 2019 at the Sea Bright Beach Pavilion at 7:00 pm.

Introduction: Mayor Long to read the ordinance by title:

CAPITAL ORDINANCE NO. 08-2019
AN ORDINANCE PROVIDING FUNDING FOR ACQUISITION AND INSTALLATION
OF PARKING KIOSKS FOR THE BOROUGH OF SEA BRIGHT AND APPROPRIATING
\$25,000 FOR SUCH PURPOSE

Administrator Verruni explained that this ordinance provides funding for two new parking kiosks – one behind Borough Hall and one on East Ocean Avenue.

Councilmember Leckstein offered a motion to introduce Ordinance No. 08-2019 for a public hearing to be held on April 16, 2019 and advertise according to law; seconded by Councilmember Kelly:

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

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA BRIGHT, IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The Borough of Sea Bright, in the County of Monmouth, New Jersey, authorizes for the acquisition and installation of parking kiosks, including all work and materials necessary therefor and incidental thereto for the Borough of Sea Bright, to be funded from the sources specified in Section 2 of the Ordinance.

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Section 2. The amount of \$25,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the General Capital Improvement Fund in the amount of \$25,000.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Sea Bright may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law.

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 2, 2019 and will be further considered after a Public Hearing held on April 16, 2019 at the Sea Bright Beach Pavilion at 7:00 pm.

BUDGET INTRODUCTION:
CFO Michael J. Bascom said the budget presentation and hearing will be held at the May 7, 2019 regular council meeting.

Res. No. 69-2019 Introduction of the 2019 Municipal Budget

Councilmember Keeler offered a motion to introduce 2019 Municipal Budget and to hold a public hearing on May 7, 2019; seconded by Councilmember Leckstein:

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the Year 2019 and the Governing Body of the Borough of Sea Bright does hereby approve the following, as the Budget for the year 2019; and

BE IT FURTHER RESOLVED, that said Budget be published in the Asbury Park Press in the issue of April 5, 2019 and a Public Hearing be held in the Sea Bright Beach Pavilion, 1097 Ocean Avenue, Sea Bright, New Jersey on May 7, 2019 at 7:00 P.M. at which time objections to said Budget and Tax Resolution for the year 2019 may be presented by taxpayers or other interested parties.

RECORDED VOTE	Ayes	Nays	Abstained	Absent
COUNCILMEMBER KEVIN BIRDSALL	X			
COUNCILMEMBER WILLIAM J. KEELER	X			
COUNCILMEMBER BRIAN P. KELLY	X			
COUNCILMEMBER MARC A. LECKSTEIN	X			
COUNCILMEMBER CHARLES H. ROONEY III	X			
COUNCILMEMBER JON SCHWARTZ	X			

INDIVIDUAL ACTION/New Business:
Vouchers: \$664,415.77

Councilmember Keeler offered a motion to approve the Voucher List dated April 2, 2019 as submitted by the Finance Manager; seconded by Councilmember Leckstein:

Roll Call:	Birdsall,	Keeler,	Kelly,	Leckstein,	Rooney,	Schwartz
	Yes	Yes	Yes	Yes	Yes	Yes
01005 ADP, INC.						
19-00340 03/20/19 FINANCE				Open		413.33
00519 ANTONIDES AND SIMONE CPA's						
19-00358 03/22/19 FISCAL				Open		3,312.50
01984 AVAYA FINANCIAL SERVICES						
19-00388 03/26/19 POLICE				Open		145.29
01631 BOROUGH OF OCEANPORT						
19-00359 03/22/19 COURT				Open		6,500.00

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01565	BOROUGH OF SEA BRIGHT		
19-00401	03/28/19 ADMIN FEES	Open	4,020.00
01546	C.I.T. TECHNOLOGY FIN SERV, INC		
19-00367	03/22/19 POLICE	Open	157.00
00290	CENTRAL JERSEY REGISTRAR ASSOC		
19-00350	03/21/19 CLERK	Open	60.00
00063	CHESAPEAKE EXTERMINATING CO.		
19-00394	03/28/19 BLDGS & GRDS	Open	30.00
00982	CITY OF LONG BRANCH		
19-00265	03/07/19 OEM	Open	1,616.11
2555	CJM ASSOC. OF SEA BRIGHT		
19-00361	03/22/19 RENTAL	Open	500.00
00198	COMCAST		
19-00395	03/28/19 INTERNET	Open	235.14
2293	DEMCO		
19-00272	03/07/19 LIBRARY	Open	456.55
2286	DIFRANCESCO, BATEMAN, KUNZMAN		
19-00393	03/28/19 LEGAL	Open	1,055.40
2565	E.R.S. FLEET REPAIR		
19-00270	03/07/19 FIRE DEPT	Open	4,301.02
00506	FARMER, JANE		
19-00384	03/26/19 LIBRARY	Open	67.54
00288	FIRST UNITED METHODIST CHURCH		
19-00362	03/22/19 LIBRARY	Open	1,000.00
01288	FISLER, CHRISTOPHER		
19-00339	03/19/19 POLICE	Open	207.94
2556	GALLS LAKEWOOD RETAIL SHOW RM		
19-00242	02/28/19 POLICE	Open	39.35
00575	GALLS, INC.		
19-00264	03/07/19 CLOTHING ALLOWANCE	Open	15.98
02101	GANNETT NJ		
19-00375	03/26/19 CLERK	Open	76.80
19-00402	03/28/19 LEGAL AD	Open	70.08

			146.88
00979	GIBBONS, P.C.		
19-00406	03/29/19 LEGAL	Open	5,707.52
2403	GIGI'S NEW YORK STYLE PIZZA		
19-00077	01/19/19 DPW	Open	216.00
2561	INTRON TECHNOLOGY SOLUTIONS		
19-00396	03/28/19 BEACH PAVILION	Open	1,145.00
2573	JCP & L		
19-00354	03/21/19 MUNICIPAL COMPLEX	Open	47,134.57
01526	JCP & L		
19-00408	03/29/19 ELECTRIC	Open	6,241.15
2566	JP CUSTOM FRAMING		
19-00273	03/07/19 LIBRARY	Open	935.00
01784	JUNGLE LASERS, LLC		
19-00409	03/29/19 BLDG DEPT	Open	260.00
01900	MCKENNA, DUPONT, HIGGINS &		
19-00342	03/20/19 PLANNING BOARD	Open	2,240.00
02229	MONMOUTH COUNTY PUBLIC WORKS		
19-00344	03/20/19 FIRE DEPT	Open	1,332.82
00188	MONMOUTH/OCEAN TCTA		
19-00084	01/23/19 TAX COLLECTOR	Open	80.00
00137	MUNICIPAL CAPITAL CORPORATION		
19-00360	03/22/19 COPIER	Open	224.73
01397	MURPHY, CHARLES		
19-00338	03/19/19 POLICE	Open	149.00
19-00387	03/26/19 POLICE	Open	88.49

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00339	NAPA		237.49
19-00282	03/11/19 DPW	Open	56.94
00433	NATIONAL ENTERTAINMENT		
19-00363	03/22/19 RECREATION	Open	840.00
01399	NEW JERSEY AMERICAN WATER		
19-00376	03/26/19 WATER	Open	688.16
19-00407	03/29/19 HYDRANTS	Open	2,484.00

			3,172.16
00113	NJ NATURAL GAS COMPANY		
19-00373	03/26/19 NATURAL GAS	Open	305.12
19-00374	03/26/19 NATURAL GAS	Open	50.00

			355.12
00502	NJ STATE LEAGUE/MUNICIPALITIES		
19-00288	03/13/19 DPW	Open	115.00
01309	OCEANPORT BOARD OF EDUCATION		
18-00756	06/13/18 GRADE SCHOOL TAX	Open	43,033.75
00081	PERRY'S TROPHY CO., INC.		
19-00352	03/21/19 PLANNING BOARD	Open	15.00
00463	RUTGERS, THE STATE UNIVERSITY		
19-00280	03/11/19 DPW	Open	479.00
19-00351	03/21/19 PLANNING BOARD	Open	235.00

			714.00
01554	SEA BRIGHT SERVICE CENTER		
19-00336	03/19/19 FIRE	Open	314.64
19-00355	03/21/19 OEM	Open	46.95

			361.59
00053	SHORE REGIONAL HIGH SCHOOL		
18-00754	06/13/18 HIGH SCHOOL TAX	Open	253,690.00
02225	STAPLES ADVANTAGE		
19-00213	02/26/19 OFFICE SUPPLIES	Open	553.59
19-00275	03/07/19 LIBRARY	Open	69.53
19-00289	03/13/19 OFFICE SUPPLIES	Open	105.86
19-00347	03/20/19 LIBRARY	Open	544.59
19-00348	03/20/19 BLDGS & GRDS	Open	186.10

			1,459.67
00083	T & M ASSOCIATES		
19-00397	03/28/19 ENGINEER	Open	1,432.08
19-00398	03/28/19 ROAD PROGRAM	Open	5,865.19
19-00399	03/28/19 ENGINEER	Open	5,291.15

			12,588.42
00192	TAX COLL & TREAS ASSOC OF NJ		
19-00364	03/22/19 TAX COLLECTOR	Open	395.00
02114	TWO RIVERS WATER RECLAMATION		
19-00368	03/22/19 SEWER	Open	245,448.50
2291	VERIZON		
19-00400	03/28/19 FIOS	Open	100.34
02061	VERIZON WIRELESS		
19-00372	03/26/19 POLICE	Open	573.97

Total: 652,953.77
MANUAL CHECKS:

3/20/2019	McKenna, Dupont, Higgins & Stone	
19-00341	Legal/Planning Board:Review/Escrow Accts.	\$3,920.00
1/22/2019	Boro Health Insurance Fund	\$7,067.32
19-00357	Replenish Fund	
3/26/2019	United States Postal Service	\$474.68
19-00389	Bulk Mailing/2019 Directories	

TOTAL: \$11,462.00
GRAND TOTAL: \$664,415.77

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

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

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

Respectfully Submitted,

Christine Pfeiffer
Borough Clerk