

**MINUTES
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

APRIL 16, 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, Administrator Joseph L. Verruni,
Engineer Claire Petruzzella, Clerk Christine Pfeiffer

**MAYOR LONG OFFICIAL PROCLAMATION
APRIL - CHILD ABUSE PREVENTION AND AWARENESS MONTH**

WHEREAS, there are about 750,000 youth age 17 and under, living in New Jersey; and

WHEREAS, it is estimated that one in 100 children experience abuse; and

WHEREAS, childhood maltreatment and abuse are part of adverse childhood experiences (ACEs) and create long-term trauma that has life-long impacts; and

WHEREAS, child abuse is a significant social problem that creates significant effects for entire families, communities and society as a whole; and

WHEREAS, all children deserve to be nurtured, protected and free from physical or emotional harm; and

WHEREAS, the State of New Jersey and the New Jersey Department of Children and Families believe that healthy families raise healthy children; and

WHEREAS, the State of New Jersey is committed to offering a continuum of community-based child abuse prevention and intervention programs that are culturally competent, strength-based and family-centered; and

WHEREAS, the New Jersey Department of Children and Families embraces the Standards for Prevention Programs developed by the New Jersey Task Force on Child Abuse and neglect; and

WHEREAS, all sectors of the community, including law enforcement, medical professionals, schools, courts and media outlets, as well as numerous public and private agencies, have joined forces to promote public awareness and community involvement in keeping children and their families safe, healthy and connected during the month of April and continuing throughout the year.

NOW THEREFORE, the Borough of Sea Bright, County of Monmouth, State of New Jersey, does hereby proclaim:

**APRIL 2019
AS**

CHILD ABUSE PREVENTION AND AWARENESS MONTH

and urge our residents to become involved in efforts aimed at strengthening families and communities and preventing our children from being abused and neglected.

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 are any updates on the vacant lot near her property. Mayor Long explained that there was been silk fence installed but the wind did a number on it and when the weather is better it will get cleaned up. Ms. Hentschel also questioned what the criteria is to get placed on the abandon property list. Councilman Leckstein suggested calling Tom Haege the Code Enforcement Officer so he can better explain as there is very specific criteria and it is a very involved process which is all listed in the ordinance. She also asked about the stipends for the governing body. Councilman Leckstein explained that it would be an annual stipend of \$2,500 per Councilmember and \$3,000 for the Mayor.

- 2. **2006 Kawasaki UTV (Beach)** Minimum Bid: \$750.00
VIN# JK1AFCE157B545738
- 3. **2011 Polaris UTV (Police)** Minimum Bid: \$750.00
VIN# 4XARH45A9CB447936

WHEREAS, the Borough Clerk of the Borough of Sea Bright will provide Specifications of equipment for the proposed sale; and

WHEREAS, the Borough of Sea Bright would like to sell aforesaid items on GovDeals.com, an online government service auction program, pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey hereby authorizes the Borough Clerk to sell the aforesaid items as per the guidelines set by Govdeals.com.

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

- 1. Finance Manager
- 2. Beach Manager
- 3. Public Works
- 4. Chief of Police
- 5. Govdeals.com

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

No. 75-2019 Authorizing the Borough of Sea Bright to Apply for New Jersey Division of Highway Traffic Safety 2019 "Click it or Ticket" Seat Belt Mobilization Grant

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

WHEREAS, the safety and security of the citizens of the Borough of Sea Bright and surrounding areas is vitally important; and

WHEREAS, the use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle accident; and

WHEREAS, the State of New Jersey Division of Highway Traffic Safety is participating in the National 2019 "Click It or Ticket" seat belt mobilization campaign from May 20 – June 2, 2019 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

WHEREAS, the federally funded grant funds in the amount of \$5,500.00 are available, with no local match, from the New Jersey Division of Highway Traffic Safety to reimburse police personnel for overtime enforcement during the two week enforcement period; and

WHEREAS, the deadline to apply for the grant is April 26, 2019; and

WHEREAS, the Borough of Sea Bright Police Chief has recommended that the Borough apply for said Grant; and

WHEREAS, the Governing Body of the Borough of Sea Bright wish to apply for this seat belt enforcement grant from the State of New Jersey Division of Highway Traffic Safety.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the appropriate officials are hereby authorized to execute all documents in order to effectuate the receipt of the aforementioned grant funds in the amount of \$5,500.00 from the Division of Highway Traffic Safety for the 2019 "Click it or Ticket" Seat Belt Mobilization Grant.

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

- 1. Director of Finance
- 2. Chief of Police
- 3. CFO

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

No. 76-2019 Appointment of the Business Representative for the Special Events and Green Team Committees

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

WHEREAS, § 31-3 of Chapter 38 of the Borough’s General Code empowers the Mayor to appoint an owner of a business located in the Borough of Sea Bright, who is not an official of or in the employ of the municipality, to the Borough’s Special Events and Green Team Committees; and

WHEREAS, the Mayor appointed Felecia Stratton as the aforesaid business representative for the 2019 term, however Ms. Stratton resigned due to scheduling conflicts; and

WHEREAS, the Mayor would like to appoint Melissa D’Anna as the aforesaid business representative on the Borough’s Special Events and Green Team Committees to fill the vacated seat for the remainder of the 2019 term which concludes on December 31, 2019; and

WHEREAS, the above named individual requires the approval of the Borough Council in order to be made official;

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that Melissa D’Anna, be and is hereby appointed as business representative of the Borough’s Special Events and Green Team Committees, and

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

- 1. Melissa D’Anna
- 2. Secretary of the Special Events Committee
- 3. Green Team

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

No. 77-2019 Resolution Opposing the Williams/NESE Raritan Bay Pipeline and Urging the New Jersey Department of Environmental Protection to Conduct a Public Hearing on the Bayshore and Extend the Public Comment Period

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

WHEREAS, Williams is proposing the Northeast Supply Enhancement Project to build a 23.4 mile methane natural gas pipeline through Raritan Bay and Lower New York Bay, from Old Bridge to Rockaway, New York; and,

WHEREAS, the purpose of the proposed project is to transport 400 million cubic feet of methane natural gas per day, extracted through the environmentally destructive process of hydraulic fracturing, from the Marcellus Shale to New York markedly contributing to climate change; and,

WHEREAS, the project will in no way serve the interests of the State of New Jersey, or its residents, and will only supply methane natural gas to Brooklyn, Queens and Long Island New York; and,

WHEREAS, the Williams/NESE pipeline will have severe negatively impacts to the Raritan and Lower New York Bays such as disturbing roughly, 14,165 acres of the seabed of the Raritan Bay, discharging 690,000 gallons of drilling fluid and chemicals into the bay, re-suspending over 1,090,000 tons of toxic much contaminated by PCBs, dioxin, lead, mercury, and arsenic, and destroying over 1,000 acres of benthic habitat that houses marine fish, shellfish, and larva; and,

WHEREAS, the project poses serious concerns related to environmental harm to marine and coastal ecosystems, as well as negative impacts to the safety, health and wellbeing of Bayshore coastal communities, resulting in well documented public opposition; and,

WHEREAS, the Williams/NESE pipeline will endanger marine life and fisheries through decrease water quality from re-suspended toxins, sieving of over 3.5 Million gallons of seawater destroying any living thing in caught in the process, loud sounds and powerful vibrations that accompany pipeline development which will impact migration patterns, communication systems and other important biological processes; and,

WHEREAS, the Williams/NESE pipeline will have significant upstream environmental impacts that will directly harm the Raritan bay such as negatively affecting 41 acres of wetlands, including approximately 20 acres of forested wetland; and,

WHEREAS, the Williams/NESE pipeline will adversely impact industries important to the New Jersey Bayshore communities, disturb commercial and recreational fishing and shell fishing activities, and potentially damage the tourism industry; and,

WHEREAS, despite being directly affected from the proposed Williams/NESE pipeline, there has been no public hearing within the Bayshore; and,

WHEREAS, the Williams/NESE pipeline will increase dependency on fossil fuels, reverses the state’s renewable energy agenda, and contributes to climate change through increased emissions of methane and carbon dioxide; and,

WHEREAS, the company Williams and Associate Transcontinental Gas Pipeline Company (Transco) demonstrate a history of mismanaged facilities that resulted in explosions and fires, and do not show results of the pipeline test to governing bodies in any municipalities through which the existing pipeline runs.

NOW, THEREFORE, BE IT RESOLVED, that on this date, April 16, 2019, the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, hereby opposes the construction and instillation of a 23.4 mile methane natural gas pipeline through Raritan Bay from Old Bridge to Rockaway, New York. Construction of the pipeline will negatively impact the health of the Bayshore, coastal ecosystems, marine life, benthic habitats, and coastal communities.

Be It Further Resolved, that the Borough Council urges the company Williams to eliminate any further consideration for a pipeline.

Be It Further Resolved, that the Borough Council urges the New Jersey Department of Environmental Protection to deny any permit application for the project and any other pipeline, and urges its representatives of the New Jersey Legislature, United States Congress and United States Senate as well as the Governor of New Jersey to oppose this pipeline application.

Be It Further Resolved, that the Borough Council hereby calls on the New Jersey Department of Environmental Protection extend the public comment period 45 days and within the extension conduct a public hearing on the Williams NESE pipeline in the Bayshore region.

Be It Further Resolved, that good governance depends on transparency and due process and thus, the Bayshore must have an opportunity to be heard.

Be It Further Resolved, that this resolution be certified and forwarded to the New Jersey Governor Philip D. Murphy; Matthew Resnick of the New Jersey Department of Environmental Protection Division of Land Use Regulation; Senator Declan J. O’Scanlon, Jr.; Assemblywoman Serena DiMaso, Esq.

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

No. 78-2019 Authorizing Contract Extension for 2019 Street Sweeping of Roadways within the Borough of Sea Bright

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

WHEREAS, the Mayor and Council of the Borough of Sea Bright approved Resolution No. 88-2018 on April 17, 2018, awarding a contract for Street Sweeping services to C&L Sweeper Service Corp., Jackson, NJ; and

WHEREAS, the street sweeping contract was for six months (May 1, 2018 through October 31, 2018) with the option to renew for an additional seven month term (April 1, 2019 through October 31, 2019); and

WHEREAS, the bid amount for 2019 was \$353.00 per bi-weekly sweep for an amount not to exceed \$20,474.00 and an additional \$800.00 for any emergency or post storm sweepings; and

WHEREAS, the Borough overpaid C&L Sweeper Service Corp. over the 2018 contract term and wishes to exercise the renewal option for one year and apply the credit to pay for the 2019 contract term for Street Sweeping services; 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 authorize the Borough Administrator and the Municipal Clerk to execute said contract renewal option with C&L Sweeper Service Corp. of Jackson, New Jersey in accordance to the contract terms for a period commencing April 1, 2019 through October 31, 2019; and

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

- 1. Borough Attorney
- 2. Finance Manager
- 3. DPW Director
- 4. C&L Sweeper Service Corp.

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

No. 79-2019 Refund of 2018 Tax Overpayment Block 21, Lot 10

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

WHEREAS, an overpayment was made by John & Regina Guarino for 4th Quarter 2018 property taxes in the amount of \$740.36 for Block 21, Lot 10 – 8 East Church Street; and

WHEREAS, the tax overpayment should be refunded to John & Regina Guarino, 8 East Church Street, Sea Bright, New Jersey.

BLOCK	LOT	PAYER NAME	AMOUNT	REASON
21	10	John & Regina Guarino	\$740.36	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 \$740.36, and

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

- 1. Tax Collector
- 2. Finance Manager
- 3. John & Regina Guarino

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

No. 80-2019 Consideration of Award - Lease Agreement for Morning Yoga Classes

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

WHEREAS, the Borough Council authorized by resolution for the Borough Clerk to duly advertise for vendors to conduct (morning) yoga classes through a seasonal lease agreement for the use of a portion of property on the Sea Bright Municipal Beach during the 2019 summer season; and

WHEREAS, the Borough Clerk did duly advertise on February 28, 2019 to receive bids no later than 12 noon on April 3, 2019, for vendors to conduct (morning) yoga classes on the Sea Bright Municipal Beach for a minimum bid amount of \$25.00; and

WHEREAS, in connection therewith one (1) bid was received by the Borough Clerk from 1) Christa Russo, Highlands, NJ, in the amount of \$30.00; and

WHEREAS, the Beach Manager recommended that a lease agreement be awarded to Christ.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey does hereby authorize a 2019 seasonal lease agreement for morning yoga classes on the Sea Bright Municipal Beach to Christa Russo of Highlands, New Jersey in the amount of \$30.00; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute a contract for said lease agreement, copies of which shall be maintained by the Borough Clerk; and

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

- 1. Finance Manager
- 2. Police Department
- 3. Beach Manager
- 4. Borough Attorney
- 5. Christa Russo

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

No. 81-2019 Consideration of Award - 2019 Lease Agreement for Skim Board Camp

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

WHEREAS, the Borough Council authorized by resolution for the Borough Clerk to duly advertise for vendors to conduct skim board camp for a seasonal lease agreement for the use of a portion of property on the Sea Bright Municipal Beach during the 2019 summer season; and

WHEREAS, the Borough Clerk did duly advertise on February 28, 2019 to receive bids by 12 noon on April 3, 2019, for vendors to conduct skim board camps on the Sea Bright Municipal Beach for a minimum bid amount of \$1,000.00; and

WHEREAS, in connection therewith one (1) bid was received by the Borough Clerk from Jersey Shore Skim Camp, Felecia Stratton, Sea Bright, NJ in the amount of \$1,000.00; and

WHEREAS, the Beach Manager recommended that a lease agreement be awarded to Jersey Shore Skim Camp, Felecia Stratton of Sea Bright, New Jersey as per the bid proposal in the amount of \$1,000.00; 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 authorize a 2019 seasonal lease agreement to operate a skim board camp on the Sea Bright Municipal Beach to Jersey Shore Skim Camp, Felecia Stratton of Sea Bright, New Jersey in the amount of \$1,000.00; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute a contract for said lease agreement, a copy of which shall be maintained by the Borough Clerk; and

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

- 1. Finance Manager
- 2. Police Department
- 3. Beach Manager
- 4. Borough Attorney
- 5. Jersey Shore Skim Camp

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

No. 82-2019 Consideration of Award - Lease Agreement for Surf Camp

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

WHEREAS, the Borough Council authorized by resolution for the Borough Clerk to duly advertise for vendors to conduct surf camps through a seasonal lease agreement for the use of a portion of property on the Sea Bright Municipal Beach during the 2019 summer season; and

WHEREAS, the Borough Clerk did duly advertise on February 28, 2019 to receive bids no later than 12 noon on April 3, 2019, for vendors to conduct surf camps on the Sea Bright Municipal Beach for a minimum bid amount of \$1,000.00; and

WHEREAS, in connection therewith one (1) bid was received by the Borough Clerk on April 3, 2019 from Lucky Dog Surf Co., Melissa D’Anna, Sea Bright, NJ in the amount of \$1,200.00; and

WHEREAS, the Beach Manager recommended that a lease agreement be awarded to Lucky Dog Surf Co., Melissa D’Anna, Sea Bright, NJ as per their bid proposal in the amount of \$1,200.00; 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 authorize a 2019 seasonal lease agreement to operate a surf camp on the Sea Bright Municipal Beach to Lucky Dog Surf Co., Melissa D’Anna, Sea Bright, NJ in the amount of \$1,200.00; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute a contract for said lease agreement, copies of which shall be maintained by the Borough Clerk; and

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

- 1. Finance Manager
- 2. Police Department
- 3. Beach Manager
- 4. Borough Attorney
- 5. Lucky Dog Surf Co.

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

No. 83-2019 Consideration of Award - Lease Agreement for 2019 Volleyball League

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

WHEREAS, the Borough Council authorized by resolution for the Borough Clerk to duly advertise for vendors to conduct a volleyball league through a seasonal lease agreement for the use of a portion of property on the Sea Bright Municipal Beach during the 2019 summer season; and

WHEREAS, the Borough Clerk did duly advertise on February 28, 2019 to receive bids no later than 12 noon on April 3, 2019, for vendors to conduct a volleyball league on the Sea Bright Municipal Beach for a minimum bid amount of \$3,000.00; and

WHEREAS, in connection therewith one (1) bid was received by the Borough Clerk on April 3, 2019 from Sand Pit Volleyball LLC, Corey Wagner, Tinton Falls, NJ in the amount of \$3,050.00; and

WHEREAS, the Beach Manager recommended that a lease agreement be awarded to Sand Pit Volleyball LLC, Corey Wagner, Tinton Falls, NJ as per their bid proposal in the amount of \$3,050.00; 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 authorize a 2019 seasonal lease agreement to operate a volleyball league to Sand Pit Volleyball LLC, Corey Wagner, Tinton Falls, NJ in the amount of \$3,050.00; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute a contract for said lease agreement, copies of which shall be maintained by the Borough Clerk; and

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

- 1. Finance Manager
- 2. Police Department
- 3. Beach Manager
- 4. Borough Attorney
- 5. Sand Pit Volleyball LLC

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

No. 84-2019 Authorizing a Shared Services Agreement with the Borough of Highlands for Life Guard Services

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

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et. seq. authorizes the approval of Shared Services Agreements between local units by Resolution; and

WHEREAS, the Borough of Sea Bright ("Sea Bright") and the Borough of Highlands ("Highlands") wish to enter into a Shared Services Agreement for the provision of life guard services by Sea Bright to Highlands; and

WHEREAS, Sea Bright and Highlands agree that Sea Bright is to provide life guard services to Highlands for the period of June 15, 2019 through and including September 2, 2019 as per the terms of the Agreement attached for an amount of \$41,661.00; and

WHEREAS, the parties acknowledge and agree that they are associated for only the purposes set forth in the Agreement and any other duly ratified Shared Services Agreement between them, and that each is a public entity separate and distinct from the other.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute a Shared Services Agreement for life guard services with the Borough of Highlands for the 2019 summer season for a fee of \$41,661.00; and

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

- 1. Finance Manager
- 2. Beach Manager
- 3. Borough Attorney
- 4. Borough of Highlands
- 5. Department of Community Affairs, DLGS

Vote: Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz
 Yes Yes Yes Yes Yes Yes

No. 85-2019 Authorizing an Agreement with Edgewater Beach and Cabana Club for Ocean Rescue Life Guard Services

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

WHEREAS, the Borough of Sea Bright ("Sea Bright") and Edgewater Beach and Cabana Club, Sea Bright, New Jersey (Edgewater) wish to enter into an Agreement for the provision of ocean rescue life guard services by the Borough of Sea Bright for the 2019 beach season; and

WHEREAS, Sea Bright and Edgewater agree that Sea Bright is to provide life guard services to Edgewater's beach from 10:00 a.m. to 6:00 p.m. beginning Saturday, May 25, 2019 to Wednesday, June 12, 2019 only on the weekends and holidays; full-time (seven days a week) from Thursday, June 13, 2019 through Monday, September 2, 2019; and, weekends (Saturday and Sunday) from Saturday, September 7 through Sunday, September 29, 2019 for an amount of \$39,513.00; and

WHEREAS, the parties acknowledge and agree that they are associated for only the purposes set forth in the Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute an agreement for ocean rescue life guard services with Edgewater Beach and Cabana Club for the 2019 summer season for a fee of \$39,513.00; and

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

- 1. Finance Manager
- 2. Beach Manager
- 3. Borough Attorney
- 4. Edgewater Beach and Cabana Club

Vote: Birdsall, Keeler, Kelly, Leckstein, Rooney, Schwartz
 Yes Yes Yes Yes Yes Yes

**No. 86-2019 Authorizing the Release of Performance Guarantee – Procopio
 10 East New Street – Block 20, Lot 3**

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

WHEREAS, the Municipal Land Use Law (N.J.S.A. 40:55D-53) permits the Borough of Sea Bright to accept certain improvements and to release performance guarantees posted by Developers when said improvements have been certified as complete by the Borough Engineer; and

WHEREAS, Joseph and Kathleen Procopio have heretofore deposited with the Borough of Sea Bright a performance guarantee in the amount of \$2,840.00 (100% in the form of cash) to guarantee the completion of all improvements on premises known as Block 20, Lot 3 also known as 10 East New Street; and

WHEREAS, David J. Hoder, P.E. P.P., Hoder Associates Consulting Engineers, has advised the Borough Clerk by letter dated April 16, 2019, a copy of which is on file in the Office of the Borough Clerk and made a part hereof, that the improvements installed are acceptable and in accordance with the resolution of approval from the Planning Board and recommends the acceptance of same and the release of the aforementioned performance guarantee subject to the posting of a maintenance guarantee in the amount of 15% (\$426.00) of the cost of the improvements and posting of any outstanding engineering and administrative fees; and

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 improvements hereinbefore referred to be and

the same are hereby accepted as per the aforesaid memorandum from David J. Hoder, P.E. P.P., Hoder Associates Consulting Engineers and the performance guarantee totaling \$2,840.00 is hereby released, canceled and discharged; and

BE IT FURTHER RESOLVED by the Borough Council that this resolution shall not become effective unless and until the Borough of Sea Bright is furnished with the posting of a maintenance guarantee in the amount of 15% (\$426.00) of the cost of the improvements and payment of any outstanding engineering and administrative fees; and

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

- 1. Joseph Procopio
- 2. David J. Hoder, P.E. P.P., Consulting Engineers
- 3. Fiscal Officer
- 4. Construction Official
- 5. Planning Board Secretary

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

ORDINANCE(s):

Public Hearing: 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 open the public hearing on Ordinance No. 07-2019; seconded by Councilmember Birdsall:

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

Public Hearing (Ord. No. 07-2019)

No one wished to be heard.

Councilmember Leckstein offered a motion to close the public hearing on Ordinance No. 07-2019; 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. 07-2019 and advertise according to law; seconded by Councilmember Birdsall:

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

Public Hearing: 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

Councilmember Leckstein offered a motion to open the public hearing on Ordinance No. 08-2019; seconded by Councilmember Kelly:

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

Public Hearing (Ord. No. 08-2019)

No one wished to be heard.

Councilmember Leckstein offered a motion to close the public hearing on Ordinance No. 08-2019; 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. 08-2019 and advertise according to law; seconded by Councilmember Birdsall:

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

Introduction: Mayor Long to read the ordinance by title:

ORDINANCE NO. 09-2019
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. 09-2019 for a public hearing to be held on May 7, 2019 and advertise according to law; seconded by Councilmember Birdsall:

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

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 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 and assessments through the second quarter and all water and sewer fees due through the first 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 fee of \$500.00 no later than May 1.
- (5) The Zoning Officer shall include such reasonable conditions on a J4 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."

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.

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Sea Bright, introduced on April 16, 2019 and will be further considered after a Public Hearing held on May 7, 2019 at the Municipal Building at 7:00 pm.

Introduction: Mayor Long to read the ordinance by title:

BOND ORDINANCE NO. 10-2019
BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER
2018-13 FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE
BOROUGH OF SEA BRIGHT, NEW JERSEY ON DECEMBER 18,
2018

Councilmember Leckstein offered a motion to introduce Bond Ordinance No. 10-2019 for a public hearing to be held on May 7, 2019 and advertise according to law; seconded by Councilmember Birdsall:

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, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Bond Ordinance of the Borough Council of the Borough of Sea Bright, in the County of Monmouth, New Jersey (the "Borough") entitled "Bond Ordinance Providing An Appropriation Of \$200,000 For The Reconstruction Of East Ocean Avenue And Mountainview Way For And By The Borough Of Sea Bright In The County Of Monmouth, New Jersey And, Authorizing The Issuance Of \$40,000 Bonds Or Notes Of The Borough For Financing Part Of The Appropriation" finally adopted on December 18, 2018 (the "Ordinance") is hereby incorporated by reference in its entirety.

Section 2. The Ordinance is hereby amended by (a) deleting the reference of "\$200,000" for the appropriation and estimated cost and "\$40,000" for the estimated maximum amount of bonds or notes and substituting in lieu therefor "\$280,000" and "\$120,000", respectively; and by (b) deleting the reference to "\$40,000" for Section 20 costs and substituting in lieu therefor "\$50,000".

Section 3. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolutions in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This Section 4 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that the Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$120,000. All other provisions of the Ordinance shall remain unchanged.

This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final adoption.

I HEREBY CERTIFY this to be a true and correct Bond Ordinance No. 10-2019 of the Mayor and Borough Council of the Borough of Sea Bright, introduced on April 16, 2019 and will be further considered after a Public Hearing held on May 7, 2019 at the Municipal Building at 7:00 pm.

INDIVIDUAL ACTION/New Business:

Vouchers: \$81,601.52

Councilmember Leckstein offered a motion to approve the Voucher List dated April 16, 2019 as submitted by the Finance Manager; seconded by Councilmember Keeler:

Roll Call:	Birdsall	Keeler	Kelly	Leckstein	Rooney	Schwartz
	Yes	Yes	Yes	Yes	Yes	Yes
01005 ADP, INC. 19-00443 04/11/19 PAYROLL			Open	569.48		
00820 APOLLO SEWER & PLUMBING, INC. 19-00414 04/02/19 BEACH			Open	725.00		
00210 ATLANTIC PLUMBING SUPPLY CORP. 19-00226 02/27/19 FIRE DEPT			Open	157.24		
01042 ATLANTIC TOMORROWS OFFICE 19-00457 04/12/19 COPY CLICK			Open	599.31		
01241 BAIN'S HARDWARE, INC. 19-00440 04/11/19 HARWARE			Open	955.89		
01974 BOROUGH OF SEA BRIGHT COURT 19-00448 04/11/19 COURT			Open	79.88		
00230 CERTIFIED SPEEDOMETER 19-00356 03/21/19 POLICE			Open	156.00		
00256 CLEARY, GIACOBBE, ALFIERI & 19-00434 04/09/19 LEGAL			Open	2,040.00		
00198 COMCAST 19-00437 04/10/19 INTERNET			Open	320.99		
00088 CROWN TIRE MART 19-00383 03/26/19 DPW			Open	919.95		
2348 EDDIE'S DEPT. 19-00353 03/21/19 PLAN. BRD.			Open	45.00		
01068 EDWARD J. ALBERT & SON, INC. 19-00377 03/26/19 DPW			Open	1,076.80		
01817 FINEGAN, GEORGE 19-00444 04/11/19 ANIMAL CONTROL			Open	598.53		
02101 GANNETT NJ 19-00428 04/09/19 CLERK			Open	208.32		
02181 GATEWAY PRESS 19-00379 03/26/19 A&E			Open	728.00		
2576 GUARINO, JOHN AND REGINA 19-00419 04/02/19 TAX COLLECTOR			Open	740.36		
01685 HILSEN TERMITE & PEST 19-00412 04/02/19 BLDGS & GRDS			Open	165.00		
2478 HOLISTIC WELLNESS, LLC 19-00370 03/22/19 LIBRARY			Open	45.00		

REGULAR MEETING MINUTES

APRIL 16, 2019

01838 HOLMAN, FRENIA, ALLISON, P.C. 19-00447 04/11/19 AUDIT	Open	500.00	
2517 INTERGLOBE COMMUNICATIONS 19-00445 04/11/19 POLICE	Open	521.27	
01526 JCP & L 19-00442 04/11/19 ELECTRIC	Open	3,636.53	
2568 KELLY WINTHROP, LLC 19-00283 03/11/19 DPW	Open	70.00	
00015 LANIGAN ASSOCIATES, INC. 19-00153 02/01/19 POLICE	Open	370.00	
2563 LEGACY CONSTRUCTION MNGMNT. 19-00184 02/12/19 MUNICIPAL COMPLEX	Open	6,525.00	
2417 MARLIN BUSINESS BANK 19-00466 04/12/19 A&E	Open	94.00	
2278 MCLAUGHLIN,STAUFFER & SHAKLEE 19-00433 04/09/19 LEGAL	Open	9,839.88	
00457 MONMOUTH COUNTY ASSESSORS ASSN 19-00431 04/09/19 TAX ASSESSOR	Open	150.00	
01854 MONMOUTH COUNTY BOARD/TAXATION 19-00430 04/09/19 TAX ASSESSOR	Open	464.80	
00688 MONMOUTH COUNTY POLICE ACADEMY 19-00337 03/19/19 POLICE	Open	25.00	
2384 MONMOUTH HOSE & HYDRAULICS 19-00381 03/26/19 BEACH	Open	264.78	
02256 MONMOUTH TELECOM 19-00435 04/09/19 PHONE	Open	1,261.75	
00046 ONE CALL CONCEPTS, INC. 19-00456 04/11/19 CALL BEFORE YOU DIG	Open	44.88	
2525 POOR JOHNS PORTABLE TOILETS 19-00438 04/10/19 BEACH	Open	296.00	
2290 PORZIO,BROMBERG & NEWMAN 19-00462 04/12/19 LEGAL	Open	2,931.14	
02026 PUBLIC STORAGE 19-00465 04/12/19 POLICE	Open	390.00	
01088 RYSER'S LANDSCAPE SUP YARD,INC 19-00413 04/02/19 BLDGS & GRDS	Open	60.00	
01554 SEA BRIGHT SERVICE CENTER 19-00385 03/26/19 POLICE	Open	170.96	
00985 SEABOARD FIRE/SAFETY EQUIP CO. 19-00386 03/26/19 POLICE	Open	59.00	
00027 SEABOARD WELDING SUPPLY, INC. 19-00460 04/12/19 DPW	Open	14.50	
02217 Settembrino Architects 17-00024 01/18/17 ARCHITECT	Open	35,164.60	Changed to \$15,664.60
01603 SIGNS BY TOMORROW 19-00403 03/29/19	Open	415.00	
19-00421 04/04/19 A&E	Open	341.00	

		756.00	
2535 SUBURBAN DISPOSAL, INC. 19-00453 04/11/19 DUMPSTERS	Open	1,378.89	
19-00454 04/11/19 TRASH	Open	11,630.78	
19-00455 04/11/19 LANDFILL	Open	4,660.00	

		17,669.67	
01931 SUBURBAN PROPANE 19-00451 04/11/19 PROPANE	Open	523.80	
2438 THOMAS,SHAWN 19-00432 04/09/19 DPW	Open	110.89	
2291 VERIZON 19-00452 04/11/19 POLICE	Open	99.99	
01960 VERIZON 19-00458 04/12/19 PHONE	Open	209.46	
02061 VERIZON WIRELESS 19-00459 04/12/19 FIRE DEPT	Open	192.05	
19-00463 04/12/19 CELL PHONE	Open	149.46	
19-00464 04/12/19 CELL PHONE	Open	104.56	

		446.07	

01164 WATCHUNG SPRING WATER CO, INC.
19-00461 04/12/19 WATER

Open 249.04

Total: ~~\$97,680.59~~

Revised: \$78,180.59

MANUAL CHECKS

4/9/2019 19-00427	David Hoder Associates Engineer:Review/Inspections-Escrow Accts.	\$2,357.50
4/11/2019 19-00449	Gannett NJ Plan. Brd:Legal Ads/Escrow Accts.	\$45.60
4/11/2019 19-00450	McKenna, Dupont,Higgins & Stone Plan . Brd:Legal Review/Escrow Acct.	\$380.00
4/11/2019 19-00446	NJ Dept of Health Monthly Dog License Report	\$2.40
4/11/2019 19-00441	NJ Dept. of Transportation Hwy. Occupancy Permit - B/O 2018-13	\$130.00
4/2/2019 19-00420	State of NJ MVC Beach:Vehicle Reg. & Title	\$12.00
4/9/2019 19-00424	United States Postal Service 2019 1/Q Sewer Billing	\$253.75
4/4/2019 19-00422	United States Postal Service Town Hall Meeting Post Card Mailing	\$239.68

TOTAL: \$3,420.93

GRAND TOTAL: ~~\$101,101.52~~

REVISED TOTAL: \$81,601.52

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