

**MINUTES  
REGULAR MEETING  
BOROUGH OF SEA BRIGHT**

**JULY 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 Richard Shaklee, Administrator Joseph L. Verruni,  
CFO Michael J. Bascom, Clerk Christine Pfeiffer

**MOMENT OF SILENCE FOR THE FOLLOWING SEA BRIGHTERS:**

Maryana Robertson  
Joan Tagliaferro  
Richard Laczynski

**REMARKS FROM THE AUDIENCE (limited to 3 minutes)**

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

Christopher Capillo, 370 Ocean Avenue, asked for an update on 356 Ocean Avenue – and feels the situation is absolutely out of hand – the owner is now using the property as an overflow parking lot and people are using the lot as a bathroom. Attorney Shaklee explained that we are moving forward with getting a court date and Administrator Verruni will let residents know when the court date will be so they can attend the hearing.

Joann Bieber, 12 Tradewinds Lane, wanted to thank Officer Welsh for being incredibly kind and helpful with her 84 year-old mother. She also questioned if additional signage could be placed by the cross walk by the Fountains condominiums. Chief Friedman will put the message board in that area for a few weeks to slow down the traffic.

Heather Bedenko, 400 Ocean Avenue, thanked the Police Chief and everyone else involved for the fireworks that is what Sea Bright is all about – it was a family event that was well coordinated and safe. Ms. Bedenko also addressed her concerns about 356 Ocean Avenue. It is ridiculous and it needs to stop - we should not have to live like this – people are drinking and defecating on the property. Ms. Bedenko expressed her concerns about the safety of her home if another storm like Sandy happens and asked what the town's plans are for the next disaster. Administrator Verruni explained that the Monmouth County Office of Emergency Management has introduced a new protocol on how and when officials go door to door which Sea Bright will follow - it will no longer be left to local officials. Chief Friedman assured Ms. Bedenko that we will have proper procedures in place.

Nancy Bedenko, 400 Ocean Avenue, wishes that we can clone Chief Friedman. Ms. Bedenko recounted the many hardships she encountered both personally and to her home before, during and after Sandy and made a number of recommendations on how to improve the way the Borough handles evacuations – and asked for reassurance that her home will not be broken into again. Mayor Long explained that since Sandy the gas company has installed shut off valves at every home. Regarding 356 Ocean Avenue, Ms. Bedenko said Attorney McLaughlin told everyone to be patient – now, months later and there is little progress. Ms. Bedenko wants to know what she can do to help this problem – it is wrong - the property owner does not care about the town, her property, or the neighborhood. She is also concerned about the debris in the bike lane encouraging bikers to ride in the car lane creating a danger and the sand and garbage on the splash pad which doesn't get picked up – just blown around by the DPW using blowers. Regarding the fireworks, Ms. Bedenko is proud of our town and thanked the Mayor and Council for all their hard work.

Erwin Bieber, 12 Tradewinds Lane, wants to ensure better communication and procedures for future emergencies. Mayor Long explained that we have put in place new alert systems since Sandy in addition to the new Monmouth County emergency management evacuation protocol.

Chris Doxey, 9 Church Street, requested that the handicap parking spaces on Church Street be changed to resident parking. Mayor Long explained that this item is on our agenda tonight as Chief Friedman brought this to the Mayor and Council’s attention at the last workshop meeting.

**CONSENT AGENDA**

Councilmember Leckstein offered a motion to pull Resolution 129-2019 (as it is no longer necessary) from the consent agenda; seconded by Councilmember Birdsall:

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

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

**Minutes**

- 06-13-2019 Workshop Meeting
- 06-13-2019 Executive Session
- 06-18-2019 Regular Meeting
- 06-28-2019 Special Meeting

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

**Resolutions:**

**No. 121-2019      RESCINDING RESOLUTION NO. 117-2019  
                         Authorizing Receipt of Bids  
                         Phase I – Development of Shrewsbury Riverfront Park**

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

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

- a) Phase I – Development of Shrewsbury Riverfront Park; and

**WHEREAS**, the Borough Council approved Resolution No. 117-2019 on June 18, 2019 authorizing the Borough Clerk to advertise for bids for the above-mentioned improvements; and

**WHEREAS**, the funding for the aforesaid improvements was not finalized as of the date of the passage of Resolution No. 117-2019.

**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 rescind Resolution No. 117-2019, authorizing the Borough Clerk, *subject to final approval given by the Council’s Capital Plan Committee*, to advertise for bids for the aforesaid item.

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

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

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

**No. 122-2019      Authorizing Receipt of Bids  
                         Phase I – Development of Shrewsbury Riverfront Park**

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

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

- a) Phase I – Development of Shrewsbury Riverfront Park; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth that it does hereby authorize the Borough Clerk to advertise for bids for the aforesaid item as per the specifications on file and will be received by the Borough Clerk in the Cecile F. Norton Community Center Meeting Room, 1167 Ocean Avenue, Sea Bright, New Jersey on a date to be determined; and

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

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

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

**No. 123-2019            Community Development Block Grant  
 Authorizing the Mayor and Borough Clerk to Execute  
 a Project Agreement with Monmouth County for  
 Performance and Delivery of Fiscal Year 2019  
 Community Development Projects**

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

**WHEREAS**, certain federal funds are potentially available to Monmouth County under the Housing and Community Development Act of 1974, as amended; and

**WHEREAS**, the County of Monmouth expects to receive an allocation for Fiscal Year 2019 from the United States Department of Housing and Urban Development; and

**WHEREAS**, the County of Monmouth has submitted its Annual Plan for Fiscal Year 2019 to the U.S. Department of Housing and Urban Development, which included a project hereinafter referred to as Shrewsbury River Handicap Access with a grant allocation of \$46,296.00; and

**WHEREAS**, the Borough of Sea Bright hereby met all the requirements for the release of funds to begin incurring costs for this project; and

**WHEREAS**, the Borough of Sea Bright has filed with the Monmouth County Community Development Program an acceptable timetable for completion and expenditure of grant funds, which is included as an appendix to the project agreement.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, hereby authorize the Mayor and Borough Clerk to execute the attached Project Agreement with the County of Monmouth.

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

**No. 124-2019            Community Development Block Grant  
 Authorizing the Mayor to Sign a Certification  
 Prohibiting the use of Excessive Force and a Certification Prohibiting  
 the use of Federal Funds for Lobbying**

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

**WHEREAS**, certain federal funds are potential available to Monmouth County through the Housing and Community Development Act of 1974, as amended; and

**WHEREAS**, the United States Department of Housing and Urban Development has allocated funding to the County of Monmouth for Fiscal Year 2019; and

**WHEREAS**, the County is making some of these funds available to certain participating municipalities and non-profit agencies; and

**WHEREAS**, it is required that the Borough of Sea Bright execute a Project Agreement with Monmouth County to undertake a project known as Shrewsbury River Handicap Access; and

**WHEREAS**, the U.S. Department of Housing and Urban Development is requiring that the Mayor of the Borough of Sea Bright sign additional certifications in order to receive these funds; and

**WHEREAS**, the Borough of Sea Bright has adopted a policy prohibiting the use of excessive force by its law enforcement agency (police force) within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

**WHEREAS**, a copy of that policy is attached to and made part of this resolution.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Sea Bright, County of Monmouth, State of New Jersey, has met the conditions of receiving a Fiscal year 2019 allocation by adopting a policy prohibiting the use of excessive force and by not using federal funds for lobbying or by disclosing that funds have been used for lobbying.

**BE IT FURTHER RESOLVED**, that the Mayor of the Borough of Sea Bright is hereby authorized to sign the attached certification which will become part of the Fiscal Year 2019 Project Agreement.

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

**No. 125-2019 Authorizing a Refund for a Sidewalk Café Permit**

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

**WHEREAS**, the Borough of Sea Bright offers permits for sidewalk cafés as a permitted use for restaurants in the B-1 zoning district; and

**WHEREAS**, on June 20, 2019, the Borough received a sidewalk café permit application from 376 Ocean Ave, LLC, t/a Ocean House Tap & Grill along with the \$100.00 application fee; and

**WHEREAS**, said application has been withdrawn as it has been determined that the sidewalk café permit cannot be issued unless a place-to-place transfer is approved by the New Jersey Division of Alcoholic Beverage Control (ABC) to expand the premises of the licensed area on to the sidewalk; and

**WHEREAS**, the applicant has requested a refund for the payment of \$100.00; and

**WHEREAS**, the Borough Council agree that the payment of \$100.00 be refunded.

**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 refund in the amount of \$100.00 for the payment of a sidewalk café permit to:

376 Ocean Ave, LLC

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

- 1. Finance Manager
- 2. 376 Ocean Ave, LLC

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

**No. 126-2019 Authorizing a Refund for Special Event Booker D. Surfdog Endless BBQ Tour September 7 and 8, 2019 – Anchorage Park and Beach**

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

**WHEREAS**, the Special Events Committee approved an event entitled "Booker D. Surfdog Endless BBQ Tour, scheduled to be held in Anchorage Park and on the Sea Bright Municipal Beach across from Anchorage Park (Anchorage Beach) on September 7 and 8, 2019; and

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

**WHEREAS**, a fee was collected in the amount of \$1,000.00 for this event; and

**WHEREAS**, the applicant withdrew his application on July 10, 2019 and is requesting a refund for the payment of \$1,000.00; and

**WHEREAS**, the Borough Council agree that the payment of \$1,000.00 be refunded.

**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 refund in the amount of \$1,000.00 for the fee associated with the Booker D. Surfdog Endless BBQ Tour special event to:

Adam Steinberg  
2141 Buck Ridge Trail  
Loxahatchee, FL 33470

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

1. Finance Manager
2. Special Events Committee
3. Adam Steinberg

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

**No. 127-2019 Beach Change Fund Increase in Monetary Amount**

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

**WHEREAS**, the Borough Council approved Resolution No. 26-2019 on January 5, 2019 establishing change funds to be maintained in the Borough; and

**WHEREAS**, the Beach Manager has requested the previously approved \$6,000.00 beach change fund be increased \$2,000.00 for a total amount of \$8,000.00 to help facilitate the efficient collection of parking fees in the municipal parking lot next to Borough Hall at 1139 Ocean Avenue (Block 19, Lots 2 & 2.01); and

**WHEREAS**, it is the desire of the Borough Council of the Borough of Sea Bright, County of Monmouth, that the change fund for the beach be increased from \$6,000.00 to \$8,000.00

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey hereby authorize the Beach Change Fund be increased from \$6,000.00 (six-thousand dollars) to \$8,000.00 (eight-thousand dollars) for the expressed purpose of making change for municipal parking in the municipal parking lot at 1139 Ocean Avenue (Block 19, Lots 2 & 2.01); and

**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. 128-2019 Grace Period Extension for Payment of 3<sup>rd</sup> Quarter 2019 Taxes**

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

**WHEREAS**, the Tax Collector has informed the Mayor and Borough Council that the Monmouth County Board of Taxation is delayed in forwarding necessary information for the preparation and mailing of final tax bills to the real estate taxpayers of the Borough of Sea Bright for the year 2019/2020; and

**WHEREAS**, the Borough Council has agreed that it would be unfair and unreasonable to impose a penalty for a delinquent payment when the amount of the payment is unknown.

**WHEREAS**, the present statute requires the imposition of a late charge if 3<sup>rd</sup> quarter 2019 taxes are not paid by the 10<sup>th</sup> of August; and

**NOW, THEREFORE BE IT RESOLVED** the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey authorizes:

1. That the Tax Collector is hereby ordered and directed in accordance with Public Law 1994, Chapter 72, signed July 14, 1994, that if tax bills are not delivered or mailed at least 25 (twenty-five) calendar days prior to the standard due date, then the delinquency date for 3<sup>rd</sup> quarter 2019 taxes shall be established as the twenty-fifth (25) calendar days after the date the tax bill was delivered or mailed. The tax bills will contain the date on which interest shall start accruing.

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

1. Patricia Spahr, Tax Collector

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

**No. 129-2019 PULLED**

**No. 130-2019 Authorizing Sewerage Rates and Charges For Second, Third and Fourth Quarters of 2019 and First and Second Quarters of 2020**

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

**WHEREAS**, the Governing Body of the Borough of Sea Bright authorized the rates and charges of the municipal public utility for sewerage for the second, third and fourth quarters of 2019 and the first and second quarters of 2020; and

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

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

1. The 2019 second, third and fourth quarters and the 2020 first and second quarters sewerage rate will be \$10.30 for every 1,000 gallons of water consumed by the customer.

2. The charges shall be due and payable in 2019/2020 within 10 days after the due date of the municipal sewer utility bill. If the bill is not timely paid, the outstanding bill shall be considered a municipal charge and shall be subject to the same rate of interest which accrues on delinquent taxes.

3. Billing Schedule:

1. First quarter billing shall be mailed during April for consumption billed by the water company from mid-December thru mid-March;
2. Second quarter billing shall be mailed during July for consumption billed by the water company from mid-March thru mid-June;
3. Third quarter billing shall be mailed in October for consumption billed by the water company from mid-June thru mid-September;
4. Fourth quarter billing shall be mailed in January for consumption billed by the water company from mid-September thru mid-December.

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

5. All customers of the municipal sewer utility shall be billed for at least 10,000 gallons quarterly. This minimum charge shall be \$103.00.

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

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the sewer utility schedule of rates and charges outlined above is hereby adopted and the utility is authorized to publish a notice of final adoption of said Resolution; and

**BE IT FURTHER RESOLVED**, a copy of the sewer utility schedule of rates and charges shall be available for public inspection during normal business hours at the office of the Tax/Sewer Utility Collector at 1167 Ocean Avenue, Sea Bright, New Jersey; and

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

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

**No. 131-2019 Hiring Borough Employee for Library**

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

**WHEREAS**, there exists a need for an additional employee in the Sea Bright Public Library due to the resignation of Laura Rossi.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that Alessandra Scalgione of Red Bank, New Jersey be hired and receive the hourly rate of pay as specified in Ordinance No. 11-2018.

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds are available in Library - Salaries & Wages for the purpose stated herein.



**MICHAEL J. BASCOM, CFO**

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

- 1. Finance Manager
- 2. Library Manager

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

**No. 132-2019 Authorizing Leon S. Avakian, Inc. to Prepare and Submit CAFRA Permit Application for Beachfront/Recreational Improvements**

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

**WHEREAS**, the Borough Council of the Borough of Sea Bright is desirous of increasing the number of parking spots along the sea wall, relocating the basketball court in the municipal parking lot and installing beach cabanas with utilities along the seawall; and

**WHEREAS**, the New Jersey Department of Environmental Protection will require a new CAFRA permit application for the proposed improvements; and

**WHEREAS**, the Borough Administrator solicited quotes from the Borough Engineer and other Consulting Engineers for proposals to prepare and submit the permit application on behalf of the Borough; and

**WHEREAS**, Peter R. Avakian, President of Leon S. Avakian, Inc. (Avakian), submitted a proposal, dated May 23, 2019, attached hereto, for the preparation and submission of an application to the New Jersey Department of Environmental Protection for the improvements mentioned above; and

**WHEREAS**, the scope of work to be performed by Avakian is as follows:

	<b><u>Description</u></b>	<b><u>Amount Not to Exceed</u></b>
Item I:	DLUR Application Forms and Legal Notices	\$ 500.00
Item II:	Prepare Permit (Site) Plans	\$2,500.00
Item III:	Prepare Supporting Maps and Documents	\$ 750.00
Item IV:	Revise Environmental Impact Statement	\$1,250.00
Item V:	Provide Storm Water Calculations	\$1,650.00
Item VI:	Assemble and Submit Individual CAFRA Application Package	\$1,850.00

for a total amount not to exceed: \$8,500.00

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds in the amount of \$8,500.00 are available in Bond Ordinance No. 12-2019 for the purposes stated herein.

  
**MICHAEL J. BASCOM, CFO**

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that Leon S. Avakian, Inc. is hereby authorized to prepare and submit an application to the New Jersey Department of Environmental Protection for a CAFRA Permit for municipal parking lot improvements as referenced above for an amount not to exceed \$8,500.00.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the following:  
1. Finance Manager  
2. Leon S. Avakian, Inc.

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

**No. 133-2019 Approving Proposal from Leon S. Avakian, Inc. for Professional Engineering Services for the Construction of Beach Way Outfall Extension and Improvements**

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

**WHEREAS**, the Borough of Sea Bright recognizes the existing outfall on Beach Way does not function properly and an extension of approximately 24 feet is required to have the outfall function properly; and

**WHEREAS**, Peter R. Avakian, P.E. of Leon S. Avakian, Inc. submitted a proposal dated June 6, 2019 (attached hereto), which includes three phases of professional engineering services for the improvements of the Beach Way outfall:

Phase I – Plan Drawings and Permitting	\$4,500.00
Phase II – Design and Public Bidding	\$5,000.00
Phase III – Construction Administration and Observation	\$5,000.00
<b>TOTAL:</b>	<b>\$14,500.00</b>

**WHEREAS**, it is the recommendation of the Borough Administrator that the proposal be accepted from Leon S. Avakian, Inc.; and

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, has certified that funds in the amount of \$14,500.00 are available in Bond Ordinance No. 14-2019 for the purpose stated herein.

  
**MICHAEL J. BASCOM, CFO**

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, in the County of Monmouth, State of New Jersey that the proposal submitted by Leon S. Avakian, Inc. for permitting, engineering design, construction administration and observation for the construction of an outfall extension on Beach Way for a sum not to exceed \$14,500.00 is hereby approved; and

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

1. Finance Manager
2. Public Works Director
3. Leon S. Avakian, Inc.

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

**No. 134-2019 Authorizing Contract Extension for Solid Waste and Recyclable Materials Collection and Disposal Services**

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. 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 approved Resolution No. 68-2019 authorizing the Borough Administrator to extend services for an additional 60 days through May 31, 2019; and

**WHEREAS**, the Borough Council wish to continue services for an additional one-hundred twenty (120) days commencing June 1, 2019 through September 30, 2019; 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 to continue services with Suburban Disposal Inc. of Fairfield, New Jersey for solid waste and recyclable materials collection and disposal services for an additional 120 days in accordance with the rates on the attached bid proposal; 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

**No. 135-2019      2019/2020 Annual Renewal Liquor License  
 Sea Bright Caterers LLC**

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

**WHEREAS**, an application was made to the Division of Alcoholic Beverage Control of the State of New Jersey by Sea Bright Caterers LLC for a two-year special ruling to permit the renewal of inactive license No.1343-33-019-014:

**WHEREAS**, in connection therewith, the owner of said license filed the necessary annual renewal application for a Class C License and has paid all the required fees to renew their 2019-2020 Plenary Retail Consumption License;

**WHEREAS**, on April 22, 2019, the Borough of Sea Bright received a copy of a letter from the Department of Law and Public Safety, Division of Alcoholic Beverage Control with a Special Ruling permitting the filing and consideration of an annual renewal application for the above reference inactive license for the 2019-2020, and 2020-2021 license terms pursuant to N.J.S.A. 33:1-12.39. This Ruling merely determined that good cause exists for the issuing authority to consider the application for renewal.

**WHEREAS**, it is within the purview of the local issuing authority to either grant or deny an application for renewal in the reasonable exercise of its discretion; and

**WHEREAS**, the Governing Body has considered the foregoing.

**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 following Class C Plenary Retail Consumption License be renewed for the 2019-2020 license term:

License No.    1343-33-019-014  
 Licensee:      Sea Bright Caterers LLC  
                   Borough of Sea Bright, Monmouth County  
                   New Jersey

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

- 1. Division of Alcoholic Beverage Control
- 2. Department of Police
- 3. Sea Bright Caterers LLC

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



**No. 138-2019      Authorizing a NJDOT FY2020 Municipal Aid Grant Application and Grant Agreement with The New Jersey Department of Transportation for the Sea Bright Road Program: Riverview Place, Shrewsbury Way, Henry Lane and Riverway Roadway Improvements**

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

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sea Bright formally approve submitting a NJDOT FY2020 Municipal Aid grant application for the above stated project; and

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as *MA-2020-Riverview Place, Shrewsbury Way, Hen-00450* for the Sea Bright Road Program: Riverview Place, Shrewsbury Way, Henry Land and Riverway Roadway Improvements, to the New Jersey Department of Transportation on behalf of the Borough of Sea Bright; and

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

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

1. Borough Engineer

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

**No. 139-2019      2019/2020 Annual Renewal Liquor License  
                           Nothing Fishy LLC**

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

**WHEREAS**, an application was made to the Division of Alcoholic Beverage Control of the State of New Jersey by Nothing Fishy LLC for a two-year special ruling to permit the renewal of inactive license No.1343-33-002-010:

**WHEREAS**, in connection therewith, the owner of said license filed the necessary annual renewal application for a Class C License and has paid all the required fees to renew their 2019-2020 Plenary Retail Consumption License;

**WHEREAS**, on July 15, 2019, the Borough of Sea Bright received a copy of a letter from the Department of Law and Public Safety, Division of Alcoholic Beverage Control with a Special Ruling permitting the filing and consideration of an annual renewal application for the above reference inactive license for the 2019-2020, and 2020-2021 license terms pursuant to N.J.S.A. 33:1-12.39. This Ruling merely determined that good cause exists for the issuing authority to consider the application for renewal.

**WHEREAS**, it is within the purview of the local issuing authority to either grant or deny an application for renewal in the reasonable exercise of its discretion; and

**WHEREAS**, the Governing Body has considered the foregoing.

**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 following Class C Plenary Retail Consumption License be renewed for the 2019-2020 license term:

License No.    1343-33-002-010  
 Licensee:      Nothing Fishy LLC  
                       Borough of Sea Bright, Monmouth County  
                       New Jersey

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

1. Division of Alcoholic Beverage Control
2. Department of Police
3. Nothing Fishy LLC

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. 16-2019**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE  
BOROUGH OF SEA BRIGHT, CHAPTER 170, "SEWERS," ARTICLE II: RATES AND CHARGES,  
SECTION 170-6 "SEWERAGE ADJUSTMENT"**

Councilmember Leckstein offered a motion to open the public hearing on Ordinance No. 16-2019; seconded by Councilmember Birdsall:

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

**Public Hearing (Ord. No. 16-2019)**

No one wished to be heard.

Councilmember Leckstein offered a motion to close the public hearing on Ordinance No. 16-2019; seconded by Councilmember Keeler:

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

Councilmember Leckstein offered a motion to adopt Ordinance No. 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

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

**ORDINANCE NO. 17-2019**  
**ORDINANCE AUTHORIZING THE GUARANTY BY THE BOROUGH OF SEA BRIGHT, NEW  
JERSEY OR PAYMENT OF PRINCIPAL AND INTEREST ON THE CAPITAL EQUIPMENT LEASE  
REVENUE BONDS, SERIES 2019 (SHORE REGIONAL SCHOOL DISTRICT PROJECT) OF THE  
MONMOUTH COUNTY IMPROVEMENT AUTHORITY**

CFO Michael J. Bascom explained the Borough as a member of the School District is responsible for a portion of the School District's debt.

Councilmember Leckstein offered a motion (with protest) to introduce Ordinance No. 17-2019 for a public hearing to be held on August 13, 2019 and advertise according to law; seconded (with protest) 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, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. Pursuant to Section 80 of the County Improvement Authorities Law, N.J.S.A. 40:37A-44 *et. seq.*, the Borough of Sea Bright, New Jersey (the "Municipality") is hereby authorized to unconditionally and irrevocably guaranty the punctual payment of the principal of and the interest on the Capital Equipment Lease Revenue Bonds, Series 2019 (Shore Regional School District Project) (the "Bonds") of The Monmouth County Improvement Authority (the "Authority") Outstanding (as that term is defined in the following described resolution) under the resolution of the Authority entitled "Capital Equipment Lease Revenue Bond Resolution (Shore Regional School District Project)" (the "Bond Resolution") to be adopted in a form approved by counsel to the Municipality. The Authority plans to issue the Bonds to finance the acquisition and subsequent leasing of certain capital equipment to the Shore Regional School District (the "Board") pursuant to a lease and agreement to be entered into by the Authority and the Board (the "Lease"). Such guaranty shall be given in accordance with the guaranty agreement (the "Guaranty Agreement") between the Municipality and the Authority in substantially the form submitted to this Board, a copy of which is on file in the office of the Clerk of the Municipality, with such changes as may be approved by counsel to the Municipality. The Mayor is hereby authorized to execute the Guaranty Agreement on behalf of the Municipality in substantially such form as submitted hereto and with such changes as may be approved by the Mayor, and the Clerk of the Municipality is hereby authorized to attest such signature affixing the seal of the Municipality. All representatives, officials and employees of the Municipality are hereby authorized to enforce and to implement the Guaranty Agreement.

Section 2. The following additional matters are hereby determined, declared, recited and state:

- (1) The maximum principal amount of the Bonds of the Authority hereby and hereunder to be guaranteed as to payment of principal and interest shall not exceed the sum of the amount necessary to acquire the Board’s equipment as set forth in Schedule A which will be subject to the Lease and to pay the Board’s share of the costs of issuance, but in no event shall such principal amount exceed \$330,000, of which the Municipality will guarantee 19.594% or not to exceed \$64,662.
- (2) The Bonds shall mature within eleven years of the date of issue.
- (3) The Bonds shall remain Outstanding to their respective stated maturity dates and the guaranty authorized herein shall remain effective until all Bonds shall have been paid in full in accordance with their terms notwithstanding the occurrence of any other event.
- (4) The guaranty authorized herein may be made and this ordinance may be adopted notwithstanding any statutory debt or other limitations, including particularly any limitation or requirement under or pursuant to the Local Bond Law, N.J.S.A. 40A:2-1, et. seq., but the principal amount of any Outstanding Bonds shall be included after their issuance in the gross debt of the Municipality for the purpose of determining the indebtedness of the Municipality under or pursuant to the Local Bond law. The principal amount of the Bonds included in the gross debt of the Municipality shall be deducted from the gross debt of the Municipality under and all for all the purposes of the Local Bond Law (a) from and after the time of issuance of the Bonds until the end of the fiscal year beginning next after the acquisition of the equipment to be financed from the proceeds of the Bonds and (b) in any Annual Debt Statement filed pursuant to the Local Bond law as of the end of such fiscal year or any subsequent fiscal year if the revenues or other receipts or moneys of the Authority in such year are sufficient to pay its expenses of operation and maintenance in such year and all amounts payable in such year on account of the principal of and the interest on all such Bonds, all bonds of the Municipality issued as provided under N.J.S.A. 40:37A-79 and all bonds of the Authority issued under the County Improvement Authorities Law.

Section 3. Upon payment of the principal of and the interest due on the Bonds by the Authority or by the defeasance of the Bonds pursuant to the Bond Resolution, the guaranty authorized herein will cease to exist and the gross debt of the Municipality shall be reduced to the extent that such Bonds cease to be Outstanding under the Bond Resolution.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption in accordance with the County Improvement Authorities Law and the Local Bond Law.

**I HEREBY CERTIFY** this to be a true and correct Bond Ordinance No. 17-2019 of the Mayor and Borough Council of the Borough of Sea Bright, introduced on July 16, 2019 and will be further considered after a Public Hearing held on August 13, 2019 at the Municipal Building, 1097 Ocean Avenue, at 7:00 pm.

**SCHEDULE A - EQUIPMENT LIST**

Shore Regional School District

<u>Equipment</u>	<u>Useful Life (Years)</u>	<u>Lease Term (Years)</u>	<u>Estimated Cost</u>
Two 54-passenger buses	10	7	\$200,000
250 Chromebooks	5	5	<u>100,000</u>
<b>Total</b>			<b>\$300,000</b>

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

**ORDINANCE NO. 18-2019**

**AN ORDINANCE OF THE BOROUGH OF SEA BRIGHT AMENDING AND SUPPLEMENTING CHAPTER 130, "LAND USE," ARTICLE XVII, "AFFORDABLE HOUSING REGULATIONS," SECTIONS 130-121B AND 130-123 PERTAINING TO THE CALCULATION AND COLLECTION OF DEVELOPMENT FEES**

Councilmember Leckstein offered a motion to introduce Ordinance No. 18-2019 for a public hearing to be held on August 13, 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, in the County of Monmouth, State of New Jersey, as follows:

#### SECTION ONE:

The Code of the Borough of Sea Bright, Chapter 130, "Land Use," Article XVII, "Affordable Housing Regulations," Section 130-121, "Residential Development Fees," Subsection 130-121B, "Eligible Exactions, Ineligible Exactions and Exemptions for Residential Developments," be and the same is hereby amended and supplemented to read, in full, as follows:

(~~strikethroughs~~ are deletions; **bolded** are additions)

*"B. Eligible Exactions, Ineligible Exactions and Exemptions for Residential Developments.*

(1) Affordable housing developments, developments where the developer is providing for the construction of affordable units elsewhere in the municipality, and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.

(2) Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.

(3) Owner-occupied residential structures demolished and replaced as a result of a fire, flood, or natural disaster shall be exempt from paying a development fee.

(4) Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, ~~is demolished and replaced~~ or **is where the square footage is expanded by 51% (fifty-one percent) or more**, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.

(5) Where there is an improvement, ~~to, expansion of,~~ reconstruction or replacement of an existing residential structure, ~~requiring a Construction Permit,~~ no development fee shall be required to be paid. The construction or improvement of a permitted accessory structure on a lot containing an existing residential structure shall not require the payment of a development fee.

(6) Developers of houses of worship and other uses that are entitled to exemption from New Jersey real property tax shall be exempt from the payment of a development fee, provided that such development does not result in the construction of any additional housing or residential units, including assisted living and continuing care retirement communities."

#### SECTION TWO:

The Code of the Borough of Sea Bright, Chapter 130, "Land Use," Article XVII, "Affordable Housing Regulations," Section 130-123, "Collection Procedures," be and the same is hereby amended and supplemented to read, in full, as follows:

"§130-123. Collection Procedures.

(1) Upon the granting of a preliminary, final or other applicable approval for a development, the approving authority or entity shall notify or direct its staff to notify the Construction Official response for the issuance of a Construction Permit.

(2) For non-residential developments only, the developer shall also be provided with a copy of form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The developer of a non-residential development shall complete N-RDF as per the instructions provided. The Construction Official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax Assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.

(3) The Construction Official responsible for the issuance of a Construction Permit shall notify the Borough Tax Assessor of the issuance of the first Construction Permit for a development which is subject to a development fee.

(4) Within 90 days of the receipt of such notification, the Borough Tax Assessor shall prepare an estimate of the equalized assessed value of the development based on the plans filed, **which shall be provided to the developer.**

(5) The Construction Official responsible for the issuance of a final Certificate of Occupancy shall notify the Borough Tax Assessor of any and all requests for the scheduling of a final inspection on a property which is subject to a development fee.

(6) Within 10 business days of a request for the scheduling of a final inspection, the Borough Tax Assessor shall confirm or modify the previously estimated equalized assessed value of the improvements associated with the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.

(7) Should the Borough of Sea Bright fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay the estimated amount consistent with the dispute process set forth in Subsection b. of Section 37 of P.L. 2008, c.46 (C.40:55D-8.6)

(8) ~~Except as provided in Section 130-122 A.(3) hereinabove, fifty percent (50%) of the initially calculated development fee shall be collected at the time of the issuance of the Construction Permit. The remaining portion shall~~ **The entire development fee shall be collected at the time of issuance of the Certificate of Occupancy. No Certificate of Occupancy shall be issued until the development fee is paid in full."**

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

**SECTION FOUR:** 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 FIVE:** This Ordinance shall take effect immediately upon its passage and publication as required by 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 July 16, 2019 and will be further considered after a Public Hearing held on August 13, 2019 at the Municipal Building at 7:00 pm.

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

**ORDINANCE NO. 19-2019**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING THE**  
**GENERAL CODE OF THE BOROUGH OF SEA BRIGHT,**  
**CHAPTER 201 ENTITLED VEHICLES AND TRAFFIC**

Councilmember Leckstein offered a motion to introduce Ordinance No. 19-2019 for a public hearing to be held on August 13, 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, County of Monmouth, State of New Jersey, as follows:

**SECTION ONE:** Chapter 201, "Vehicles and Traffic", Article I, Traffic and Parking, Section 201-2, Prohibited Parking, of the Code of the Borough of Sea Bright is hereby amended and supplemented to read in full as follows:

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

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Bellevue	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
<i>Tradewinds Lane</i>	<i>East</i>	<i>Entire Length</i>
Village Road	Both	North Section
Village Road	Both	South Section

**SECTION TWO:** Chapter 201, "Vehicles and Traffic", Article I, Traffic and Parking, Section 201-5, Regulations governing East Ocean Avenue, of the Code of the Borough of Sea Bright is hereby amended and supplemented to read in full as follows:

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 (*Sunday through Saturday, including holidays*):

<b>Name of Street</b>	<b>Side</b>	<b>Type</b>	<b>Location</b>
East Ocean Avenue	<i>East</i>	30-minute, 10:00 a.m. to 6:00 p.m.	Between East Surf Street and East New Street

(3) Angle parking. Angle parking shall be established on the following Streets:

<b>Name of Street</b>	<b>Side</b>	<b>Type</b>	<b>Location</b>
East Ocean Avenue	East	45 degree	Between Rt. NJ 36 (Ocean Avenue) and East Surf Street

**SECTION THREE:** Chapter 201, "Vehicles and Traffic", Article VI, Handicap Parking, Section 201-23, Restricted Parking Spaces, of the Code of the Borough of Sea Bright is hereby amended and supplemented to read in full as follows:

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

<b>Name of Street</b>	<b>Location</b>
<del>15 Church Street</del>	<del>North side</del>
<del>17 Church Street</del>	<del>North side</del>
4 Via Ripa	South side

**SECTION FOUR:** Chapter 201, "Vehicles and Traffic", Article VIII, Residential Permit Parking, Section 201-34, Term of Permits, of the Code of the Borough of Sea Bright is hereby amended and supplemented to read in full as follows:

"Residential parking permits shall be valid *from May 1 through April 30* 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."

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

**SECTION SIX:** 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 SEVEN:** 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 July 16, 2019 and will be further considered after a Public Hearing held on August 13, 2019 at the Municipal Building at 8:30 am.

**INDIVIDUAL ACTION/New Business:**

**Vouchers: \$1,219,121.39**

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

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

02113 AMERICAN WATER 19-00854 07/11/19 WATER	Open	322.57
00519 ANTONIDES AND SIMONE CPA's 19-00809 07/03/19 FISCAL OFFICER 19-00847 07/11/19 FISCAL OFFICER	Open Open	6,625.00 6,625.00
		----- 13,250.00
00820 APOLLO SEWER & PLUMBING, INC. 19-00762 06/17/19 DPW 19-00775 06/20/19 BLDGS & GRDS	Open Open	450.00 450.00
		----- 900.00
02246 ASSOC OF FLOODPLAIN MANAGERS 19-00865 07/12/19 ZONING	Open	500.00
2593 ASSOCIATION OF N.J. RECYCLERS 19-00697 06/06/19 DPW	Open	45.00
2597 AT&T MOBILITY 19-00694 06/05/19 BEACH 19-00695 06/05/19 BEACH	Open Open	3,575.45 276.84
		----- 3,852.29
01983 ATHLETES' ALLEY 19-00542 05/02/19 POLICE	Open	165.00
01984 AVAYA FINANCIAL SERVICES 19-00864 07/12/19 POLICE	Open	290.58
02036 Bahrle, David 19-00822 07/05/19 SEWER	Open	56.20
01241 BAIN'S HARDWARE, INC. 19-00846 07/11/19 HARDWARE	Open	572.53
01957 BENEMAX BENEFIT MANAGEMENT CO. 19-00808 07/03/19 HEALTH INS.	Open	672.00
01631 BOROUGH OF OCEANPORT 19-00810 07/03/19 COURT	Open	6,500.00
01974 BOROUGH OF SEA BRIGHT COURT 19-00829 07/11/19 COURT	Open	148.61
00530 BULLET LOCK & SAFE CO., INC. 19-00644 05/28/19 BEACH	Open	32.10
01546 C.I.T. TECHNOLOGY FIN SERV, INC 19-00851 07/11/19 POLICE	Open	314.00

**REGULAR MEETING****JULY 16, 2019**

01731 CAESARS ATLANTIC CITY 19-00711 06/06/19 LEAGUE CONFERENCE	Open	942.00
2424 CHILD, BRAD 19-00826 07/11/19 FIRE MARSHAL	Open	140.00
2555 CJM ASSOC. OF SEA BRIGHT 19-00849 07/11/19 GARAGE LEASE	Open	500.00
00256 CLEARY, GIACOBBE, ALFIERI & 19-00832 07/11/19 LEGAL	Open	780.00
01493 COOPERATIVE INDUSTRIES, L.L.C. 19-00834 07/11/19 NATURAL GAS	Open	414.60
2286 DIFRANCESCO, BATEMAN, KUNZMAN 19-00782 06/26/19 LEGAL	Open	260.88
01817 FINEGAN, GEORGE 19-00805 07/01/19 ANIMAL CONTROL	Open	535.32
00978 FRIEDMAN, BRETT 19-00827 07/11/19 POLICE	Open	196.61
00211 FULL SERVICE WEB SITES, LLC 19-00861 07/12/19 WEB SITE	Open	2,294.99
02101 GANNETT NJ 19-00793 06/27/19 CLERK	Open	16.32
19-00801 07/01/19 clerk	Open	20.16
19-00837 07/11/19 CLERK	Open	36.48
		-----
		72.96
02181 GATEWAY PRESS 19-00630 05/22/19 POLICE	Open	204.00
01549 GENERAL CODE, LLC 19-00859 07/12/19 A&E	Open	1,195.00
00979 GIBBONS, P.C. 19-00863 07/12/19 LEGAL	Open	1,900.00
01194 GLENCO SUPPLY, INC. 19-00696 06/06/19 DPW	Open	2,834.00
19-00708 06/06/19 DPW	Open	310.50
19-00773 06/20/19 BEACH	Open	320.00
		-----
		3,464.50
02219 Goodyear Auto Service Center 19-00772 06/20/19 POLICE	Open	576.00
02262 GTBM INC. 19-00637 05/23/19 BEACH	Open	3,542.95
01838 HOLMAN, FRENIA, ALLISON, P.C. 19-00862 07/12/19 AUDIT	Open	1,575.00
2601 HUDSON, MICHAEL 19-00761 06/17/19 BEACH	Open	495.36
2297 INTEGRATED TECHNICAL SYSTEMS 19-00642 05/28/19 PARKING KIOSKS	Open	3,640.00
19-00679 06/03/19 PARKING KIOSKS	Open	84.00
		-----
		3,724.00
2517 INTERGLOBE COMMUNICATIONS 19-00833 07/11/19 POLICE	Open	568.60
01419 J. SWANTON FUEL OIL CO., INC. 19-00838 07/11/19 FUEL	Open	391.05
2470 JAX LLC NW SHIRT SHOP 19-00780 06/26/19 BEACH	Open	2,391.09
01526 JCP & L 19-00840 07/11/19 ELECTRIC	Open	6,309.48
2448 JERSEY MAIL SYSTEMS, LLC 19-00777 06/24/19 A&E	Open	249.50
2488 JERSEY SHORE POWERSPORTS 19-00787 06/27/19 POLICE	Open	74.99

**REGULAR MEETING**

**JULY 16, 2019**

00297	JESSE A. HOWLAND & SONS, INC. 19-00848 07/11/19 PARKING LOT LEASE	Open	750.00
01784	JUNGLE LASERS, LLC 19-00830 07/11/19 BLDG. DEPT	Open	640.00
02110	KLEIN, DON 19-00760 06/17/19 BEACH 19-00766 06/18/19 BEACH 19-00814 07/05/19 BEACH	Open Open Open	398.34 63.66 198.00
			----- 660.00
00015	LANIGAN ASSOCIATES, INC. 19-00688 06/03/19 POLICE	Open	300.00
00444	LAWMEN SUPPLY CO OF NJ, INC. 19-00418 04/02/19 POLICE 19-00556 05/07/19 POLICE 19-00557 05/07/19 POLICE	Open Open Open	4,000.00 880.00 442.00
			----- 5,322.00
2563	LEGACY CONSTRUCTION MNGMNT. 19-00184 02/12/19 MUNICIPAL COMPLEX	Open	8,040.00
01900	MCKENNA, DUPONT, HIGGINS & 19-00784 06/26/19 PLANNING BOARD	Open	1,400.00
2278	MCLAUGHLIN,STAUFFER & SHAKLEE 19-00821 07/05/19 LEGAL	Open	5,003.14
00688	MONMOUTH COUNTY POLICE ACADEMY 19-00667 05/30/19 POLICE 19-00691 06/03/19 POLICE 19-00797 07/01/19 POLICE	Open Open Open	50.00 25.00 25.00
			----- 100.00
02256	MONMOUTH TELECOM 19-00842 07/11/19 PHONE SERVICE	Open	1,254.89
00137	MUNICIPAL CAPITAL CORPORATION 19-00852 07/11/19 A&E	Open	224.73
00190	MUNICIPAL CLERKS ASSOC OF NJ 19-00812 07/05/19 CLERK	Open	175.00
00283	MUNICIPAL EMERGENCY SERV, INC. 19-00687 06/03/19 OEM	Open	112.00
00339	NAPA 19-00774 06/20/19 VEHICLE MAINTENANCE	Open	219.86
01694	NAVESINK MARINA 19-00799 07/01/19 FIRE DEPT	Open	558.92
01399	NEW JERSEY AMERICAN WATER 19-00794 06/27/19 WATER 19-00800 07/01/19 WATER	Open Open	497.21 2,530.00
			----- 3,027.21
02185	NJ DEPT OF LABOR & WORKFORCE 19-00858 07/12/19 UNEMPLOYMENT	Open	196.50
00113	NJ NATURAL GAS COMPANY 19-00857 07/11/19 NATURAL GAS	Open	242.14
01309	OCEANPORT BOARD OF EDUCATION 19-00745 06/13/19 SCHOOL TAX	Open	50,008.75
02019	OMEGA GRAPHICS 19-00815 07/05/19 RECREATION	Open	280.00
01648	PETRA OVERHEAD DOOR CO., INC. 19-00704 06/06/19 DPW	Open	776.00
2525	POOR JOHNS PORTABLE TOILETS 19-00841 07/11/19 BEACH	Open	296.00
2290	PORZIO,BROMBERG & NEWMAN 19-00844 07/11/19 LEGAL	Open	5,707.00
02026	PUBLIC STORAGE 19-00845 07/11/19 POLICE	Open	390.00

**REGULAR MEETING****JULY 16, 2019**

01554	SEA BRIGHT SERVICE CENTER		
19-00677	05/31/19 POLICE	Open	82.95
19-00759	06/17/19 POLICE	Open	3,452.06
19-00789	06/27/19 DPW	Open	152.68
19-00795	06/27/19 POLICE	Open	1,101.25
			-----
			4,788.94
00024	SHERWIN WILLIAMS, INC.		
19-00763	06/17/19 DPW	Open	293.50
2365	SHORE FLICKS		
19-00825	07/11/19 RECREATION	Open	2,100.00
00053	SHORE REGIONAL HIGH SCHOOL		
19-00746	06/13/19 SCHOOL TAX	Open	664,330.63
01603	SIGNS BY TOMORROW		
19-00767	06/18/19 BEACH	Open	299.00
02225	STAPLES ADVANTAGE		
19-00786	06/26/19 OFFICE SUPPLIES	Open	497.27
19-00816	07/05/19 BLDGS & GRDS	Open	314.85
			-----
			812.12
00083	T & M ASSOCIATES		
19-00790	06/27/19 ENGINEER	Open	582.00
19-00791	06/27/19 ENGINEER	Open	1,029.56
19-00792	06/27/19 ENGINEER	Open	6,082.99
			-----
			7,694.55
01285	THE HOME DEPOT		
19-00764	06/17/19 BEACH	Open	659.96
19-00813	07/05/19 DPW	Open	23.60
			-----
			683.56
00973	THE TWO RIVER TIMES		
19-00796	06/27/19 BEACH	Open	27.25
01403	TREASURER, STATE OF NEW JERSEY		
19-00806	07/01/19 CLERK	Open	125.00
00331	TREASURER, STATE OF NJ		
19-00831	07/11/19 BLDGS & GRDS	Open	820.00
2575	UNDER THE SUN		
19-00798	07/01/19 BEACH	Open	200.00
2487	UNIMAK, LLC		
19-00866	NEW MUNICIPAL COMPLEX	Open	365,994.54
00023	V. E. RALPH AND SON, INC.		
19-00765	06/17/19 POLICE	Open	182.65
2291	VERIZON		
19-00802	07/01/19 POLICE	Open	99.99
01960	VERIZON		
19-00803	07/01/19 LIBRARY	Open	214.19
2291	VERIZON		
19-00836	07/11/19 BEACH & LIBRARY	Open	120.62
02061	VERIZON WIRELESS		
19-00804	07/01/19 POLICE	Open	572.94
19-00835	07/11/19 FIRE DEPT	Open	192.05
19-00853	07/11/19 PARKING	Open	349.66
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			1,114.65
01409	WARSHAUER ELECTRIC SUPPLY		
19-00756	06/17/19 POLICE	Open	9,500.00
01164	WATCHUNG SPRING WATER CO, INC.		
19-00855	07/11/19 SPRING WATER	Open	750.27
00077	WEX BANK		
19-00839	07/11/19 GASOLINE	Open	6,004.36
2339	WIRELESS COMM & ELECTRONICS		
19-00776	06/20/19 FIRE DEPT	Open	466.63
2602	ZOO JERSEY		
19-00768	06/18/19 LIBRARY	Open	325.00
		<b>Total :</b>	<b>\$1,213,051.35</b>

**Manual Checks**

7/3/2019 18-00807	David Hoder Associates Planning Brd:Review & Inspection/Escrow Accts.	\$2,770.00
7/11/2019 19-00856	Gannett NJ Plan. Brd: Review/Escrow Accts.	\$61.44
7/5/2019 19-00817	Hirsch, Linda & Kevin Plan. Brd:Release of Escrow	\$1,175.00
6/26/2019 19-00785	McKenna, Dupont, Higgins & Stone Planning Brd:Legal Review/Escrow Accts.	\$2,060.00
7/12/2019 19-00860	NJ Dept. of Health Monthly Dog License Report	\$3.60
	<b>Total :</b>	<b>\$6,070.04</b>
	<b>Total :</b>	<b>\$1,219,121.39</b>

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

Committee Chair Schwartz reported that the beach revenue is up 30% from last year and overall the beach is operating smoothly. Mayor Long recognized the safety, training and leadership of our lifeguards and emergency personnel. A member of the public expressed concern about the Borough's liability at Edgewater Beach Club for the lifeguard services - Administrator Verruni explained that we have the necessary insurance in place.

**FINANCE/INSURANCE/COURT:**

Committee Chair Keeler reported that the JIF has reviewed and signed off on the guarding of Edgewater Beach Club. Mr. Keeler reported the state approved our budget and set the tax rate which is down from last year. The Court is very pleased with how things are going with the new Police Chief and Prosecutor and have been very busy with all the parking tickets coming in. Councilman Keeler encouraged Council to attend the next Court date which is July 25 at 8am. Progress on all other matters.

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

Committee Chair Leckstein reported that the administration of the fireworks was phenomenal. He thanked the Mayor and Chief of Police for putting this event together. Chief Friedman commended the Beach and Public Works staff – it was a group effort! Progress on all other matters.

Mayor Long thanked Chapel Beach Club for providing the fireworks and to our emergency services personnel for their hard work.

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

Committee Chair Rooney reported that there is a lot going on in this town regarding public safety including one of the things that we have worked on is the bridge opening on the hour on weekends which has really helped the traffic congestion. Regarding education, we see some progress and need to continue to move forward in a positive way. Regarding Recreation, movies on the beach will begin this Thursday at dusk. On July 31<sup>st</sup> Tim McLoone and the Shirley's will be playing on our beach. The Andy Rooney swim was held this past weekend with 160 swimmers – it was a great event. Councilman Rooney thanked Chief Friedman and Administrator Verruni for helping with that event. Regarding the library, a new employee was hired. Progress on all other matters.

**PUBLIC WORKS/BUILDING DEPARTMENT:**

Committee Chair Birdsall reported that the building department is slowing down after Sandy. The new fence was installed in the downtown to filter people to the cross walks. Councilman Birdsall recognized the hard work of Public Works with the fireworks and all other aspects of the town. We are on schedule to reface the public works building on New Street to clean it up and make it more presentable. Regarding the sewers, we are in the process of sealing the manholes to keep flood water out and we will be doing a smoke test in the sewer lines sometime in September. Progress on all other matters.

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

Committee Chair Kelly reported progress.

**MAYOR DINA LONG – Reports and Communications**

Mayor Long reported progress.

**EXECUTIVE SESSION**

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sea Bright, New Jersey, that they meet in closed session to discuss the issues as herein set forth and when the need for confidentiality no longer exists the decisions made therein will be made available to the public.

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matters to be discussed are as follows:
  - A. Litigation
  - B. Personnel
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 Keeler and seconded by Councilman Birdsall with unanimous voice vote approval.

**ADJOURNMENT**

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

<b>Roll Call:</b>	Birdsall,	Keeler,	Kelly,	Leckstein,	Rooney,	Schwartz
	Yes	Yes	Yes	Yes	Yes	Yes

Respectfully Submitted,

Christine Pfeiffer  
Borough Clerk