

**MINUTES
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

OCTOBER 1, 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 (arrived late)

OTHERS: Attorney Richard Shaklee, Administrator Joseph L. Verruni,
Engineers Fran Mullan, Clerk Christine Pfeiffer

REMARKS FROM THE AUDIENCE (limited to 3 minutes)

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

Chris Capillo, 370 Ocean Avenue, requested an update on 356 Ocean Avenue. Attorney Shaklee explained that a court date was not scheduled because they never filed an answer to our earlier motion so we are moving forward with a default judgement motion which will be followed by a court date. Mr. Capillo reported that the homeowner has only completed half of the siding, they haven't done anything with the windows, they put siding on top of the screened in back porch and painted the chimneys. Administrator Verruni said that the Code Enforcement Officer, Tom Haege, did an extensive report of what was included in the settlement agreement and what work has been completed which has been submitted to the Attorney.

CONSENT AGENDA

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

Minutes

09-12-2019	Workshop Meeting
09-12-2019	Executive Session
09-17-2019	Regular Meeting
09-17-2019	Executive Session

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

Resolutions:

No. 152-2019 CHAPTER 159 Budget Amendment State of New Jersey Drunk Driving Enforcement Fund

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

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$2,441.22 which is now available as a revenue from:

FY 2019 Drunk Driving Enforcement Fund

BE IT FURTHER RESOLVED that the like sum of \$2,441.22 is hereby appropriated under the caption of:

FY 2019 Drunk Driving Enforcement Fund

BE IT FURTHER RESOLVED that the above is the result of funds awarded to the Sea Bright Police Department from the FY 2019 Drunk Driving Enforcement Fund in the amount of \$2,441.22.

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

INDIVIDUAL ACTION/Resolutions:

No. 153-2019 Authorize Issuance of a "New" Liquor License for the 2018/2019 License Term Seabreeze Wines & Spirits Inc.

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

WHEREAS, a Verified Petition was submitted to the Division of Alcoholic Beverage Control of the State of New Jersey by Joseph M. Casello, Esq. of Collins, Vella & Casello, LLC, the court appointed Receiver for Seabreeze Wines & Spirits Inc. (License No.1343-44-006-011), for a special ruling to authorize the issuance of a "new" license based upon failure to renew due to circumstances beyond licensee's control or other extraordinary circumstances; and

WHEREAS, in connection therewith, the Receiver of said license filed the 12-page application and has paid all the required Plenary Retail Distribution License fees for the 2018-2019 license term; and

WHEREAS, on July 31, 2019, the Borough of Sea Bright received a copy of a letter from the Acting Director, Department of Law and Public Safety, Division of Alcoholic Beverage Control granting the relief sought in the Verified Petition allowing a 12-page application for the 2018-2019 license term to be considered for a new license; and

WHEREAS, it is within the purview of the local issuing authority to either grant or deny said application for a "new" license 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 Distribution License be issued for the 2018-2019 license term pursuant to the 12.18 special ruling granted by the Acting Director, Department of Law and Public Safety, Division of Alcoholic Beverage Control:

License No. 1343-44-006-011
Licensee: Seabreeze Wines & Spirits Inc.
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. Joseph M. Casello, Receiver for Seabreeze Wines & Spirits Inc.

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

No. 154-2019 Authorizing the Extension of Liquor License to Court Appointed Receiver Seabreeze Wines & Spirits Inc.

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

WHEREAS, an application has been filed for the extension of Plenary Retail Distribution License 1343-44-006-11 to Joseph M. Casello, Esq., the Court Appointed Receiver for Seabreeze Wines & Spirits, Inc.; and

WHEREAS, the submitted application is complete and includes proof of appointment to act as the Receiver.

Councilmember Leckstein offered a motion to close the public hearing on Ordinance No. 21-2019; seconded by Councilmember Keeler:

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

Councilman Schwartz joined the meeting.

Councilmember Leckstein offered a motion to adopt Ordinance No. 21-2019 and advertise according to law; seconded by Councilmember Birdsall:

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

INDIVIDUAL ACTION/New Business:

Vouchers: \$183,904.37

Councilmember Keeler offered a motion to approve the Voucher List dated October 1, 2019 as submitted by the Finance Manager; seconded by Councilmember Leckstein:

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

02113	AMERICAN WATER					
19-01141	09/24/19 WATER USAGE		Open		324.27	
2341	ANTON, TOMMY					
19-01090	09/05/19		Open		1,040.00	
01984	AVAYA FINANCIAL SERVICES					
19-01173	09/27/19 POLICE		Open		290.58	
00273	BORGATA HOTEL & CASINO					
19-00757	06/17/19 A&E		Open		628.00	
19-01004	08/13/19 OEM		Open		157.00	

					785.00	
01974	BOROUGH OF SEA BRIGHT COURT					
19-01154	09/25/19 COURT		Open		339.06	
00198	COMCAST					
19-01155	09/25/19 INTERNET		Open		152.97	
19-01162	09/26/19 LIBRARY		Open		159.37	

					312.34	
02231	COUSINS LANDSCAPING					
19-01126	09/16/19 BLDGS & GRDS		Open		1,625.00	
01544	DESCHAMPS MATS SYSTEMS, INC.					
19-00566	05/09/19 BEACH		Open		7,587.90	
2286	DIFRANCESCO, BATEMAN, KUNZMAN					
19-01143	09/24/19 LEGAL		Open		3,091.80	
2380	HOWELL GUN WORKS					
19-01129	09/16/19 POLICE		Open		125.00	
2417	MARLIN BUSINESS BANK					
19-01174	09/27/19 A&E		Open		94.00	
01900	MCKENNA, DUPONT, HIGGINS &					
19-01139	09/16/19 LEGAL		Open		960.00	
02045	MONMOUTH COUNTY SPCA					
19-01150	09/24/19 ANIMAL CONTROL		Open		852.50	
01399	NEW JERSEY AMERICAN WATER					
19-01168	09/26/19 WATER		Open		1,152.50	
00113	NJ NATURAL GAS COMPANY					
19-01142	09/24/19 NATURAL GAS		Open		165.80	
02094	NJ OFFICE WEIGHTS & MEASURES					
19-01131	09/16/19 POLICE		Open		60.00	
00025	REALTY APPRAISAL CO.					
19-01137	09/16/19 TAX ASSESSOR		Open		1,625.00	
2618	RIVISTAS SUBSCRIPTION SERVICE					
19-01079	09/04/19 LIBRARY		Open		1,246.50	
2620	SCOLES FLOORSHINE IND.					
19-01089	09/05/19 BEACH		Open		385.00	
19-01130	09/16/19 BEACH		Open		867.00	

					1,252.00	
01554	SEA BRIGHT SERVICE CENTER					
19-01128	09/16/19 POLICE		Open		419.86	

REGULAR MEETING MINUTES

OCTOBER 1, 2019

00027	SEABOARD WELDING SUPPLY, INC.		
19-01149	09/24/19 DPW	Open	29.00
01603	SIGNS BY TOMORROW		
19-01080	09/04/19 LIBRARY	Open	265.00
02225	STAPLES ADVANTAGE		
19-00634	05/22/19 OFFICE SUPPLIES	Open	247.57
19-01136	09/16/19 DPW	Open	216.80

			464.37
2535	SUBURBAN DISPOSAL, INC.		
19-01144	09/24/19 LANDFILL	Open	9,283.97
19-01145	09/24/19 TRASH	Open	24,000.03

			33,284.00
01285	THE HOME DEPOT		
19-01087	09/05/19 DPW	Open	115.37
02114	TWO RIVERS WATER RECLAMATION		
19-01157	09/25/19 SEWER	Open	122,724.25
02061	VERIZON WIRELESS		
19-01151	09/24/19 CELL	Open	642.27
19-01158	09/25/19 POLICE	Open	430.76

			1,073.03
01164	WATCHUNG SPRING WATER CO, INC.		
19-01163	09/26/19 SPRING WATER	Open	284.87

TOTAL: \$182,024.25

MANUAL CHECKS

19-01133	K. Shaw Construction, Inc.	\$1,880.12
8/16/2019	Planning Brd:Release of Escrow	

GRAND TOTAL: \$183,904.37

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. Contracts
3. It is anticipated at this time that the subject matters will be made public, if and when confidentiality is no longer needed. Action may be taken.
4. This Resolution shall take effect immediately

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

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

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

ADJOURNMENT

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

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

Respectfully Submitted,

Christine Pfeiffer
Borough Clerk