

**MINUTES
SPECIAL MEETING
BOROUGH OF SEA BRIGHT**

DECEMBER 3, 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,
Marc A. Leckstein, Charles H. Rooney, Jon D. Schwartz

ABSENT: Councilmember Brian P. Kelly

OTHERS: Attorney Roger McLaughlin, Engineers Fran Mullan & Greg Gitto
Administrator Joseph Verruni, 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 asked the Borough Attorney for an update on 376 Ocean Avenue. Mr. McLaughlin responded that all the paperwork has been filed for a default judgement and we are now waiting for confirmation back from the court on a judgement date.

Tom Largey, 1 Beach Way, commented on the stormwater drainage on his street is worse than ever - it floods all the time and the flappers don't work. Administrator Verruni responded that we have applied for a CAFRA permit to extend the drain pipes and install new flappers.

CONSENT AGENDA

Councilman Birdsall asked that Resolution 178-2019 be removed from the Consent agenda to be voted on separately.

Councilman Schwartz made a point of order that we had to move \$25,000 additional funds into Engineering and \$35,000 in to Solid Waste which ties into the plastic's ordinance on the agenda this evening – garbage disposal costs are going up and disposing of recycling is even more expensive – the more we eliminate single use plastics, the more we will save in disposal services.

Councilmember Leckstein offered a motion to remove Resolution No. 178-2019 and approve the remaining items that are considered routine in nature under the consent agenda; seconded by Councilmember Keeler:

Minutes:

11-14-2019 Workshop Meeting
11-14-2019 Executive Session

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

Resolutions:

**No. 176-2019 Place-to-Place/Extension of Premises Transfer Liquor License
#1343-33-012-008 Woody's Ocean Grille, LLC**

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

WHEREAS, an application has been filed for a Place-to-Place Transfer (Expansion of Premises) of Plenary Retail Consumption License Number 1343-33-012-008, issued to Woody's Ocean Grille, LLC, 1 East Church Street, for purposes of expanding the premises under license wherein the sale, service, and storage of alcoholic beverages are authorized; and

WHEREAS, the submitted application form is complete in all respects, all appropriate State and Borough transfer fees have been paid, and the license has been properly renewed for the current license term;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey does hereby approve, effective December 3, 2019, the expansion of the aforesaid Plenary Retail Consumption licensed premises located at 1 East Church Street, Sea Bright, New Jersey, to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

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

- 1. Chief of Police
- 2. State of New Jersey, Division of ABC
- 3. Chris Wood

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

**No. 179-2019 Authorize the Release of Maintenance Bond and Escrows
LBP Corp. t/a Donovan’s Reef Block 7, Lot 9**

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

WHEREAS, the Municipal Land Use Law (N.J.S.A. 40:55D-53) provides for the posting of maintenance guarantees with the governing body after final acceptance of improvements when said improvements have been certified as complete; and

WHEREAS, LBP Corporation has heretofore deposited with the Borough of Sea Bright a maintenance bond in the amount of 15% (\$41,136.25) of the cost of the improvements on premises known as Block 7, Lot 9 also known as 1171 Ocean Avenue for a two-year period; and

WHEREAS, David J. Hoder, P.E. of Hoder Associates, representing the Borough Planning Board Engineer, has advised the Borough Clerk by letter dated November 15, 2019, a copy of which is on file in the Office of the Borough Clerk, that the bonded improvements have been satisfactorily completed in accordance with the approved site plan and remain in good condition, therefore recommending the release of the aforementioned maintenance bond and all remaining review and inspection escrows, less \$130 for the final inspection fee.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the maintenance bond in the amount of \$41,136.25 is hereby released, canceled and discharged; and

BE IT FURTHER RESOLVED that the remaining inspection escrow (\$9,935.05 less the \$130 inspection fee) in the amount of \$9805.05 is hereby released; and

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

- 1. Selective Insurance Company of America
- 2. Finance Manager
- 3. Fiscal Officer
- 4. Planning Board Secretary
- 5. LBP Corp.

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

**No. 180-2019 Authorize the Release of Performance Guarantees 280 Ocean Avenue
Sea Bright, LLC Block 30, Lots 47 & 47.01**

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

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, 280 Ocean Avenue Sea Bright, LLC has heretofore deposited with the Borough of Sea Bright a performance guarantee in the amount of \$263,923.50 (\$237,531.15 in the form of a Performance Bond and \$26,392.35 in the form of cash) to guarantee the completion of all improvements on premises known as Block 30, Lots 47 & 47.01 also known as 280 Ocean Avenue; and

WHEREAS, David J. Hoder, P.E. P.P., Hoder Associates, has advised the Borough Clerk by letter dated November 20, 2019, a copy of which is on file in the Office of the Borough Clerk and made a part hereof, that the completed improvements 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 guarantees and any additional review/inspection fees subject to the posting of a maintenance guarantee in the amount of 15% (\$32,990.44) of the cost of the improvements and posting of \$500 for inspection escrow for the release of maintenance; 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 \$263,923.50 is hereby released, canceled and discharged, review fees totaling \$2,725.98 are released and inspection fees totaling \$8,084.81 are released; 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% (\$32,990.44) of the cost of the improvements; and

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

- 1. 280 Ocean Avenue Sea Bright, LLC
- 2. David J. Hoder, P.E. P.P., Engineer
- 3. Fiscal Officer
- 4. Construction Official

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

**No. 181-2019 Authorizing Release of Performance Guarantees MacKal Ventures, LLC
14 East New Street Block 20, Lot 5**

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

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, MacKal Ventures, LLC has heretofore deposited with the Borough of Sea Bright a performance guarantee in the amount of \$10,308.00 (100% in the form of cash) to guarantee the completion of all improvements on premises known as Block 20, Lot 5 also known as 14 East New Street; and

WHEREAS, David J. Hoder, P.E., P.P., Hoder Associates Consulting Engineers, has advised the Borough Clerk by letter dated November 20, 2019, a copy of which is on file in the Office of the Borough Clerk and made a part hereof, that the improvements are completed 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 15% maintenance guarantee in the amount of (\$1,288.50) of the cost of the improvements and 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, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of David J. Hoder, P.E., P.P., Hoder Associates Consulting Engineers and the performance guarantee totaling \$10,308.00 is hereby released, canceled and discharged; and

BE IT FURTHER RESOLVED by the Borough Council that this resolution shall not become effective until the Borough of Sea Bright is furnished with the posting of a two year maintenance guarantee in the amount of 15% (\$1,288.50) of the cost of the improvements and payment of any outstanding engineering and inspection fees; and

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

- 1. MacKal Ventures, LLC
- 2. Finance Manager
- 4. Fiscal Officer
- 5. David J. Hoder, P.E., P.P.

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

No. 182-2019 2019 Budget Authorizing the Transfer of Funds in accordance with N.J.S.A. 40A:5-58

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

WHEREAS, there exists a need to transfer budget balances in certain line item appropriations of the 2019 budget; and

WHEREAS, N.J.S.A. 40A:5-58 authorizes the transfer of appropriations, during the last two (2) months of the calendar year, to said budget where adopted heretofore by the governing body by two-thirds vote thereof.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, (not less than 2/3 of all members of the Governing Body concurring) that the Borough Administrator and Chief Financial Officer are hereby authorized to make the following transfers in accordance with the annexed schedule for the Current, Sewer and Beach Utility Funds:

Schedule of Budget Transfers – December 3, 2019

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

1. Director of Finance
2. Borough Auditor
3. Fiscal Officer

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

<u>CURRENT FUND</u>	<u>TO</u>	<u>FROM</u>
GENERAL ADMIN	S/W	(11,000.00)
GENERAL ADMIN	O/E	(8,000.00)
CLERK	S/W 34,500.00	
CLERK	O/E	(22,000.00)
FINANCE	O/E 3,500.00	
AUDIT SERVICES	O/E	(12,000.00)
COMPUTER INFORMATION SYSTEMS	O/E	(3,000.00)
TAX ASSESSOR	O/E	(4,000.00)
LEGAL	O/E	(7,000.00)
ENGINEERING	O/E 25,000.00	
PLANNING BOARD	S/W 15,500.00	
PLANNING BOARD	O/E	(4,500.00)
UNIFORM CONSTRUCTION CODE	S/W	(7,000.00)
UNIFORM CONSTRUCTION CODE	O/E	(2,000.00)
INS-LIABILITY FLOOD	O/E	(9,000.00)
WORKMAN'S COMP INS	O/E	(4,000.00)
UNEMPLOYMENT INSURANCE	O/E	(5,000.00)
EMPLOYEE HEALTH INSURANCE	O/E	(8,000.00)
PARKING PROGRAM	O/E	(8,000.00)
FIRE HYDRANT	O/E 200.00	
STREETS & ROADS	S/W	(17,000.00)
STREETS & ROADS	O/E	(12,000.00)
SOLID WASTE COLLECTION	O/E 35,000.00	
BUILDINGS AND GROUNDS	O/E 10,000.00	
BEAUTIFICATION OF BORO	O/E 600.00	
PUBLIC HEALTH SERVICES	O/E 172.00	
PARKS & REC	O/E 800.00	
ELECTRIC	O/E	(12,000.00)
STREET LIGHTING	O/E	(5,000.00)
TELEPHONE	O/E	(1,000.00)
NATURAL GARS	O/E	(7,000.00)
GASOLINE	O/E	(7,000.00)
LANDFILL	O/E	(13,000.00)
BOND ANTICIPATION NOTES - PRINCIPAL	O/E 63,228.00	
	<u>188,500.00</u>	<u>(188,500.00)</u>

<u>SEWER UTILITY FUND</u>	<u>TO</u>	<u>FROM</u>
SEWER	O/E	(11,069.00)
BOND ANTICIPATION NOTES - PRINCIPAL	O/E	11,069.00
		<u>11,069.00</u> <u>(11,069.00)</u>

<u>BEACH UTILITY FUND</u>	<u>TO</u>	<u>FROM</u>
BEACH	S/W	34,000.00
BEACH	O/E	(19,000.00)
DUNE MAINT	O/E	(10,000.00)
JR LIFEGUARD	O/E	(5,000.00)
		<u>34,000.00</u> <u>(34,000.00)</u>

No. 183-2019 2019 Emergency Appropriation - Beach Utility Bond Anticipation Notes Payment

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

WHEREAS, an emergency has arisen with respect to the required minimum principal payment of Beach Utility bond anticipation notes and no adequate provision was made in the 2019 Beach Utility Fund budget for the aforesaid purpose; and

WHEREAS, N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned; and

WHEREAS, the total amount of an emergency appropriation created, including the appropriation to be created by this resolution is \$85,305 and three percent of the total operations in the budget for 2019 is \$194,175.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48 that:

1. An emergency appropriation is hereby made for Payment of Bond Anticipation Notes in the amount of \$85,305.
2. That said emergency appropriation shall be provided for in full in the 2019 budget.
3. That the Chief Financial Officer has certified that the expenditure to be financed through this resolution are related to the aforementioned emergency.
4. That two certified copies of the resolution be filed with the Director of Local Government Services.

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

1. Director of Finance
2. Borough Auditor
3. Fiscal Officer

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

No. 184-2019 Authorizing Emergency Repairs - Fire Department Ladder Truck

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

WHEREAS, the condition of the Sea Bright Fire Department’s 2007 AME Ladder Truck (Vin No. 1AFAA ACG27 E000 32) requires emergency repairs to fix the non-operational ladder and hydraulics system which is a detriment to the health, safety and welfare of the public;

WHEREAS, significant emergency repairs need to be undertaken immediately to correct the aforementioned issue; and

WHEREAS, the Borough Chief Financial Officer has prepared a certification attesting to the emergency circumstances requiring the award of an emergency no-bid contract.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, certify that funds in the amount of \$38,000.00 are available in Fire O&E for the purpose stated above.


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 it hereby authorizes an emergency contract to Campbell Supply Company, 1015 Cranbury South River Road, South Brunswick, NJ 08831, for the necessary repairs to the Fire Department’s Ladder Truck in an amount not to exceed \$38,000.00; and

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

- 1. Finance Manager
- 2. CFO
- 3. Fire Chief

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

Individual Action

Administrator Verruni clarified that Resolution No. 178-2019 authorizes receiving bids for the third carrier for the existing tower – not a second tower.

No. 178-2019 Authorizing Receipt of Bids for Lease of Municipal Property for Placement of Wireless Communications Equipment

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

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

- a) Lease of Municipal Property on Wayne Street (Block 20, Lot 7) for co-location of Wireless Communications Equipment

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

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

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

- 1. Finance Manager
- 2. CFO
- 3. Project Consultant - FSD Enterprises, LLC

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

ORDINANCE(s):

Public Hearing: Mayor Long to read the ordinance by title:

ORDINANCE NO. 22-2019
AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE BOROUGH OF SEA BRIGHT FOR THE YEARS 2020 through 2022 IN ITS ENTIRETY.

Councilmember Leckstein offered a motion to open the public hearing on Ordinance No. 22-2019; seconded by Councilmember Keeler:

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

Public Hearing (Ord. No. 22-2019)

No one wished to be heard.

Councilmember Leckstein offered a motion to close the public hearing on Ordinance No. 22-2019; seconded by Councilmember Keeler:

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

Councilmember Leckstein offered a motion to adopt Ordinance No. 22-2019 and advertise according to law; seconded by Councilmember Birdsall:

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

Public Hearing: Mayor Long to read the ordinance by title:

ORDINANCE NO. 23-2019
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 150, "PACKAGING PRACTICES – UNIFORM," OF THE CODE OF THE BOROUGH OF SEA BRIGHT, PROVIDING FOR REGULATIONS PERTAINING TO PLASTIC BAGS, PLASTIC UTENSILS, FOOD CONTAINERS, BALLOONS AND STRAWS"

Councilmember Leckstein offered a motion to open the public hearing on Ordinance No. 23-2019; seconded by Councilmember Birdsall:

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

Public Hearing (Ord. No. 23-2019)

Chris Capillo, 370 Ocean Avenue, asked if the ordinance included a ban on Chinese lanterns. Mayor Long responded that they are covered and illegal under the Fire Code.

Tim Zelko, Tommy’s Tap and Tavern, asked for clarification and how to determine “single use” concerning to-go containers and bags. The different items were considered and the to-go containers would be acceptable but not the plastic bags. Councilman Leckstein said code enforcement and the police would be enforcing the ordinance.

Frank Bain, Bain’s Hardware, said they do not oppose the ordinance but would like to be able to use up the surplus of plastic bags they have already purchased and requested a longer phase-in/grace period.

Fatima, 7-11 Convenience Store, also asked for an extension of the phase-in period.

Christine Carducci, Donovan’s Reef, explained that they are complying with all the new guidelines but it would be real hardship to switch to paper cups. Councilman Leckstein said that plastic cups are exempt from the ordinance.

Bowie Kok, Yumi Restaurant, brought in the plastic containers she uses to ask if they were considered multi-use and acceptable under the new ordinance.

Councilman Schwartz reiterated that the point of this ordinance is to start using things that we can reuse – we are trying to get rid of garbage – people won’t mind paying a little extra for a reusable bag.

Councilman Rooney said we make our living from this beach and we should be leaders in this area.

Gary Vialonga, Edgewater Beach Club, said they were here because of their concern about a plastic cup ban.

Tom Largey, Beach Way, suggested maybe we aren’t going far enough with this ban – as they find more plastic bottles in the ocean than anything else.

Cindy Zipf from Clean Ocean Action spoke about the escalating crisis plastics are creating in our ocean and scientists are saying that by 2050 there will be more plastics in the ocean than fish. There are millions of animals suffering and dying from these plastics. Ms. Zipf reported on the extraordinary amount of plastics that are picked up during the two annual clean up day on our beaches. Ms. Zipf thanked the Council’s leadership for including so many items in the ordinance and introduced Peter Blair, Policy Attorney with Clean Ocean Action who will offer some additional suggestions. Peter Blair, said they are concerned about the thicker plastic bags that are considered re-usable which ultimately cause more harm to marine life, balloon releases should be banned from the entire Borough, not just from the beach (include a ban on tethered balloons also) and defining with more detail “single-use or multi-use” plastics.

Attorney McLaughlin asked Mr. Blair to send him the list of recommendations and concerns so Council can discuss and consider incorporating into the ordinance at a future date.

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

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

Councilman Leckstein read for the record the request from Giglio’s Bait Shop that “wet” bait plastic bags be exempt. Council agreed to consider this request in the new year.

Councilmember Leckstein offered a motion to amend Ordinance No. 23-2019, Section Four, changing the effective date to May 1, 2020 and advertise according to law; a public hearing will be held on this amendment on December 17, 2019; seconded by Councilmember Birdsall:

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

Darius Ardella, representing 7-11, asked for an exemption for the large straws for the big gulp cups. The Attorney suggested they check to see what alternatives are available over the next month or two.

Chuck McQuillan, Eventide Restaurant, was concerned about the effective date and was told it was moved back to May 1, 2020.

Public Hearing: Mayor Long to read the ordinance by title:

CAPITAL ORDINANCE NO. 24-2019
AN ORDINANCE PROVIDING FUNDING FOR ADDITIONAL COSTS RELATED TO THE CONSTRUCTION OF THE FIREHOUSE/MUNICIPAL COMPLEX BUILDING FOR THE BOROUGH OF SEA BRIGHT AND APPROPRIATING \$550,000 FOR SUCH PURPOSE.

Councilmember Leckstein offered a motion to open the public hearing on Ordinance No. 24-2019; seconded by Councilmember Birdsall:

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

Public Hearing (Ord. No. 24-2019)

Marsella, 5 Tradewinds Lane, asked if this funding would increase taxes. The funding comes from FEMA and insurance proceeds. The reimbursement amount will be determined at the end of the project when the costs for the police trailer rentals and other storage facilities are closed out. This is not additional cost or expense to the taxpayers.

Councilmember Leckstein offered a motion to close the public hearing on Ordinance No. 24-2019; seconded by Councilmember Birdsall:

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

Councilmember Leckstein offered a motion to adopt Ordinance No. 24-2019 and advertise according to law; seconded by Councilmember Birdsall:

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

Public Hearing: Mayor Long to read the ordinance by title:

CAPITAL ORDINANCE NO. 25-2019
AN ORDINANCE PROVIDING FUNDING FOR ADDITIONAL COSTS RELATED TO THE CONSTRUCTION OF THE BEACH PAVILION FOR THE BOROUGH OF SEA BRIGHT AND APPROPRIATING \$180,000 FOR SUCH PURPOSE.

Councilmember Leckstein offered a motion to open the public hearing on Ordinance No. 25-2019; seconded by Councilmember Birdsall:

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

Public Hearing (Ord. No. 25-2019)

Janet Sanders, Center Street, asked for clarification of the dollar amount and when the reimbursements can be expected. Attorney McLaughlin reviewed the reimbursement process.

Councilmember Leckstein offered a motion to close the public hearing on Ordinance No. 25-2019; seconded by Councilmember Birdsall:

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

Councilmember Leckstein offered a motion to adopt Ordinance No. 25-2019 and advertise according to law; seconded by Councilmember Birdsall:

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

Introduction: Mayor Long to read the ordinance by title:

CAPITAL ORDINANCE NO. 26-2019
AN ORDINANCE PROVIDING FUNDING FOR THE ACQUISITION OF RADIO COMMUNICATIONS EQUIPMENT FOR THE FIRE DEPARTMENT FOR THE BOROUGH OF SEA BRIGHT AND APPROPRIATING \$75,000 FOR SUCH PURPOSE.

Councilmember Leckstein offered a motion to introduce Ordinance No. 26-2019 for a public hearing to be held on December 17, 2019 and advertise according to law; seconded by Councilmember Birdsall:

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

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

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

Section 2. The amount of \$75,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the Borough’s Disaster/Insurance Reserve Fund in the amount of \$75,000.

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

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

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

EXECUTIVE SESSION
NOT HELD

ADJOURNMENT

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

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

Respectfully Submitted,

Christine Pfeiffer
Borough Clerk