

**MINUTES  
WORKSHOP MEETING  
BOROUGH OF SEA BRIGHT**

**MAY 12, 2022 (Thursday)**

**SEA BRIGHT, NEW JERSEY**

**TO ATTEND THIS MEETING REMOTELY PLEASE USE THE FOLLOWING:**

<https://meet.goto.com/734676581>

OR DIAL: (224) 501-3412

Access Code: 734-676-581

**Mayor Kelly** called the meeting to order at 8:30 a.m. and requested those present to join in the Pledge of Allegiance.

**Mayor Kelly** read the following Compliance Statement:

**COMPLIANCE STATEMENT (N.J.S.A. 10:4-18)**

**Good Morning 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 10, 2022. 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 Brian P. Kelly  
Councilmember's Erwin Bieber, Kevin Birdsall, Jefferey M. Booker, Sr.,  
William J. Keeler, John M. Lamia, Jr.

**ABSENT:** Councilmember Samuel A. Catalano

**OTHERS:** Administrator Joseph L. Verruni, Attorney Richard Shaklee,  
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.

Pam Ross, 6 Peninsula Avenue, stated that on April 25<sup>th</sup> she received a phone call from her neighbor Jo-Ann Kalaka explaining that she was fixing up her property on Peninsula Avenue to transform it into a cannabis dispensary. Ms. Ross is seeking clarification if that is a consideration as that is a residential street – Mayor Kelly explained that it is a lengthy process and to date nothing has come to the Governing Body on this; Administrator Verruni stated that the Council has not yet decided first, if they will permit this type of business, and second would have to establish what zones it would be permitted in. Councilman Birdsall explained, businesses are not allowed in residential zones, regardless of the type of business.

Greg Tencza, 3 Church Street, questioned Councilman's comment "even if the ordinance was approved today" and asked if that was even possible. Councilman Birdsall explained it will only be discussed today – it would need to be introduced at a regular meeting and would require a public hearing prior to adoption at another regular meeting.

Heather Gorman, 13 New Street, urged Council to wait it out to see how other municipalities deal with permitting cannabis sales.

Terry Kaye, 7 Garden Way, questioned the process of choosing who will get the license in town – Councilman Booker explained there are many hurdles that the applicant will have at the municipal and state levels. The municipality has the power to review and choose the appropriate applicant to support and recommend to the State in the licensing process.

Mr. Tencza questioned when the virtues of why we are going down this road will be discussed? What are the positives of permitting cannabis sales – Councilman Birdsall stated that it would bring significant revenue to the Borough. Councilman Booker explained we will receive a 2% tax on all sales in the Borough. Mr. Tencza commented on what the actual revenues could be and questioned if it is worth having the discussion without knowing the numbers.

**ITEMS FOR DISCUSSION:**

**SUBJECT:** Capital Projects Update

**ACTION:** Administrator Verruni reported we have finished up our two major projects – the two new municipal buildings, although we are still working on some punch list items. Mr. Verruni reported there will be some concrete/drainage work going on over the summer, but they are on target and on budget. He also stated that the old Borough Hall looks great and can be utilized for a variety of events. Since we now have some interest in renting out the space, we need to put together a fee scale. Councilman Lamia added the Cub Scouts had their Pinewood Derby event and all went really well. Recreation Director, Don Klein, reached out to a group that is very interested in using the pickleball courts – and suggested paying a fee of \$40-50/hour. Public Works has

repaired the floor and wall in the old council chambers so that space can now be used by the Sea Bright Seniors and other groups that request a meeting room. Councilman Lamia has some volunteers that are looking into how to get the ball rolling with activities for the children in town. We have obtained quotes to fix the façade and railings and are looking into funding sources.

**SUBJECT:** Public Safety Update (Chiefs of Police and Fire)

**ACTION:** Chief Friedman reported the department had 352 calls for service. The Chief reported they've had their first official 4<sup>th</sup> of July fireworks meeting with the Tom Haege, the Office of Emergency Management, members of the Police Department, Sandy Mulheren, and members of the Monmouth County Prosecutors Office – there are a lot of logistics to work out but there are moving forward. The Police Department, Fire Department and Ocean Rescue had CPR training last weekend to gear up for the summer season. Resident and business parking passes are in and Captain Arias has been working diligently on the parking meters to make sure they are good to go on May 15<sup>th</sup>.

Fire Department Chief Murphy reported 132 calls for service for the year. New seasonal member orientation begins tomorrow and there will be training on Saturday and Sunday. They are working on cleaning up the lot and the two army trucks have been towed to the County for repairs. The Fireman's Fair is May 19<sup>th</sup> – 22<sup>nd</sup> and they are looking for volunteers to help run the games.

**SUBJECT:** Woody's – Purchase of Borough property for patio extension

**ACTION:** Chris Woods, owner of Woody's, explained that he was asked by Administrator Verruni and Attorney Shaklee to provide a site plan with a subdivision and he's had to get engineers and attorneys involved so it is taking some time. Mr. Wood provided a preliminary sketch showing where the ADA access will be located. Borough Engineer Gregory Blash explained that he and Councilman Keeler took a look at the location and are recommending putting the sidewalk on the outside of the facility vs. through the restaurant tables and also possibly eliminating space 601 to continue the sidewalk to Ocean Avenue. Councilman Bieber confirmed with the Borough Engineer that he is comfortable with the space provided to allow for cars to safely back out of spots.

**SUBJECT:** Bulkhead Ordinance Update

**ACTION:** Councilman Bieber explained that the intent here is to enhance flood protection in our town. The Administration Committee developed an updated ordinance, assessment of the repair costs for the bulkheads, and determine whether or not the town wants to entertain a special assessment ordinance. Overall, the goal is to improve to towns flood resiliency.

**SUBJECT:** Cannabis Ordinance

**ACTION:** Attorney Shaklee provided a draft ordinance to Council and commented that there are a lot of decisions that need to be made. The ordinance is divided into three parts – the first is land use, the second contains the general provisions, restrictions, hours of operation, licensing requirements, etc. and the third part is the amount of tax to charge up to the 2% maximum. Council agreed to individually look at this draft closely and submit their comments. Councilman Birdsall opened the meeting to the public to comment. Members of the public, some of whom were identified, commented and Council responded to those comments. Chief Friedman stated that there are a lot of unknown factors but marijuana will be in Sea Bright whether we permit it or not and would like to see how it plays out in the other towns first. Council agreed to continue with their due diligence on the subject as they consider the options moving forward.

**SUBJECT:** Pedestrian/traffic conflicts

**ACTION:** Councilman Keeler explained that the question came up from residents who live on Shrewsbury Way who are looking to beautify the land east of Ocean Avenue by the public access stairway - who owns the portion of land abutting the crosswalk - it is not clear as we cannot determine if there are easements....and who is responsible for maintaining these pathways. He has also been working with the Borough Engineer to address safety concerns at the foot of the Highlands bridge. The Borough Engineer is working with the DOT to come up with a solution – possibly a flashing yellow light on the south side of the road. Councilman Birdsall asked the Chief if they could put cones at the crosswalks to prevent cars from passing drivers stopping for pedestrians. Councilman Keeler also stressed that bicycles must stop at crosswalks.

**SUBJECT:** NJDOT Fiscal Year 2023 State Aid Program – Transportation Trust Fund

**ACTION:** Borough Engineer reported the safe street grants are available and the Borough might want to consider applying for one to fund safer bike lanes throughout the Borough – especially in the north end. Also, the Administrator reported the road repaving grants are available – the engineer and Public Works will be meeting to determine what roads are most in need and will report back at the next workshop.

**SUBJECT:** Textmygov – Resident Notification

**ACTION:** Mayor Kelly reported this is an automated texting program to be utilized back and forth with residents. Councilman Lamia explained how the program works and how the responses are generated. The annual cost is approximately \$2,000 - \$1,500 additional the first year. Nixle costs about the same. The Administrator will schedule a demonstration at the next workshop.

**SUBJECT:** Re-introduce parking ordinance

**ACTION:** Administrator Verruni reported that there were a couple of streets left off the new parking ordinance in the residential permit parking section due to a cut and paste error. Council agreed – rather than delaying the adoption of the ordinance, they would adopt it as is and introduce an amendment to add the missing streets.

**SUBJECT:** Resolutions

1. Zoning Officer Appointment

**ACTION:** The above resolution will be prepared for the May 17<sup>th</sup> meeting for approval.

**EXECUTIVE SESSION:**

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

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

**WHEREAS**, it is recommended by the Borough Attorney and Administrator that the Borough Council go into executive session to discuss matters set forth hereinafter which are permissible for discussion in executive session.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that they meet in closed session to discuss the issues as herein set forth:

**Resolution to discuss:** 1. Personnel & Contract Negotiations

**BE IT FURTHER RESOLVED**, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public; and

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

**Roll Call:** Bieber, Birdsall, Booker, Catalano, Keeler, Lamia  
Yes Yes Yes Absent Yes Yes

**ADJOURNMENT:**

Councilmember Booker offered a motion to Adjourn the Workshop meeting; seconded by Councilmember Birdsall:

**Roll Call:** Bieber, Birdsall, Booker, Catalano, Keeler, Lamia  
Yes Yes Yes Absent Yes Yes