

**MINUTES
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

JULY 19, 2022

SEA BRIGHT, NEW JERSEY

TO ATTEND THIS MEETING REMOTELY PLEASE USE THE FOLLOWING:

<https://meet.goto.com/396592549>

OR DIAL: (571) 317-3112

Access Code: 396-592-549

Mayor Kelly called the meeting to order at 7:00 p.m. and requested those present to join in the Pledge of Allegiance.

Mayor Kelly read the following Compliance Statement:

**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 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.,
Samuel A. Catalano, William J. Keeler

ABSENT: Councilmember John M. Lamia, Jr.

OTHERS: Attorney Roger McLaughlin, CFO Michael Bascom, Clerk Christine Pfeiffer

MOMENT OF SILENCE FOR THE FOLLOWING SEA BRIGHTERS WHO RECENTLY PASSED AWAY:

Thomas Bonfiglio
Dr. Allan DeGiulio
Kerry Gowan

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, addressed Council and said she feels that there was not adequate notice for the resolution to formalize the cannabis committee. Councilman Booker explained that this is just part of the Council's due diligence – they are formalizing a committee so they can take a closer look into everything involved to make a more informed decision – which includes getting input from the public. She stressed that there are many people against cannabis sales in Sea Bright and encourages the public to become more involved. Attorney McLaughlin clarified that the formation of this committee is enhancing transparency – there was not a discussion on the subject on the agenda, and, in addition, the formation of this committee was discussed at the June and July workshop meetings and was listed on the 7/19/22 Council meeting agenda when it was officially released on 7/15/22. Councilman Birdsall reiterated that the sole purpose of forming a Cannabis Committee is to gather information to bring back to Council for discussion. Councilman Bieber added that approving this Committee has one intention, to start the process of understanding and learning, including input from people in the town, and ultimately make a recommendation to the Council.

Heather Gorman, 13 New Street, suggested a non-binding referendum question on the ballot in November ballot to actually find out whether or not the community is in favor of a cannabis establishment in town. Councilman Booker will be looking at that as one of the ways to determine how the community feels but said we need to be careful that we don't turn an important vetting process into a political campaign.

Mike Ross, 6 Peninsula Avenue, questioned which members of council are on the cannabis committee and wanted to confirm that they would represent both sides – Councilmembers Booker, Bieber, and Birdsall.

PRESENTATION

Recognition of the recipients of the Annual Maria D. Fernandes Memorial Award. Although the were not present, Mayor Kelly explained that each graduate received a \$1,000 scholarship check.

Isabella Scott
Patrick Kelly

Councilman Birdsall introduced the new Deputy Director of Public Works Rob Smith and looks forward to working with him. His first day will be on Monday, July 25th.

PROCLAMATION: International Overdose Awareness Day

Official Proclamation

WHEREAS, the Borough of Sea Bright acknowledges the harm and hardship caused by drug overdose; and

WHEREAS, we affirm that the people affected by overdose are our loved ones – sons and daughters, mothers and fathers, brothers and sisters, and friends and neighbors – who are deserving of our compassion and support.

WHEREAS, we recognize the purpose of International Overdose Awareness Day as remembering those lost to addiction and ending the stigma of drug-related deaths; and

WHEREAS, we resolve to play our part in reducing the toll of overdose in our community which has claimed the lives of 47 Monmouth County residents as of April 30, 2022, along with countless others who have been affected; and

WHEREAS, we acknowledge that we must work together as a community to increase awareness about drug addiction and mental health; and

NOW, THEREFORE BE IT PROCLAIMED, that the Mayor and Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey do hereby proclaim **August 31, 2022** as

INTERNATIONAL OVERDOSE AWARENESS DAY

in the Borough of Sea Bright, and by doing so, raise awareness that overdose death is preventable.

CONSENT AGENDA

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

Minutes

- 06-16-2022 Workshop Meeting
- 06-16-2022 Executive Session
- 06-21-2022 Regular Meeting
- 06-21-2022 Executive Session

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

Resolutions:

No. 133-2022 Hiring Seasonal Borough Employees

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

WHEREAS, there exists a need for seasonal employees in the Borough of Sea Bright; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the following employees be hired and receive the hourly rate of pay in accordance with the Borough’s Salary Ordinance No. 04-2021.

CERTIFICATION OF FUNDS

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



MICHAEL J. BASCOM, CFO

BEACH/DPW - Salaries & Wages

<u>Employee</u>	<u>Position</u>
George Tammaro	Public Works
Terence Wrench	Public Works
Luke Zeveney	Lifeguard
Luke Rusbarsky	Lifeguard
Emma Lonardo	Badge Checker

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

1. Finance Manager
2. Beach Manager
3. Public Works Director

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

No. 134-2022 Authorizing the Hiring of Deputy Director of Public Works

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

WHEREAS, there exists a need for a full-time Deputy Director of Public Works in the Borough of Sea Bright; and

WHEREAS, the Borough Clerk did duly advertise for the position of Deputy Director of Public Works on the Borough website and on the New Jersey League of Municipalities website; and

WHEREAS, applications were received, and interviews took place to identify qualified candidates; and

WHEREAS, the Public Works and Administration Council Committees recommended to Council that applicant, Robert Smith be hired as Deputy Director of Public Works at a salary of \$65,000.00 per year (overtime pay authorized for emergencies only) as specified in Ordinance No. 04-2021; and

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds are available in Public Works S/W:


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 Robert Smith be hired as Deputy Director of Public Works at a salary of \$65,000.00 per year, subject to standard background checks; and

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

- 1. Public Works Director
- 2. Robert Smith

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

No. 135-2022 Hiring Volunteer Firefighter Borough of Sea Bright Fire Department

Councilmember Booker offered the following resolution for approval; seconded by Councilmember Birdsall:

WHEREAS, Chapter 20, Section 20.4 of the General Code, Fire Department membership requires any person desiring membership in a volunteer fire department, shall complete an application; may be required to have a pre-appointment physical by a physician; and the Borough Council shall order a criminal background check to be conducted by the Chief of Police; and

WHEREAS, the Fire Department received an application from the following individual, all pre-appointment requirements have been met and the Fire Chief recommends he be hired to serve as a volunteer firefighter on the Sea Bright Fire/Rescue Department:

Full Membership
Giancarlo Anzalone

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, does hereby accept and approve the hiring of the above-named individual to serve as a member on the Sea Bright Fire Department; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to send a certified copy of this resolution to the following:

- 1. Sea Bright Fire Chief
- 2. Individual Member

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

No. 136-2022 Authorizing Grant Application New Jersey Department of Community Affairs Sea Bright Fire Department

Councilmember Booker offered the following resolution and moved its adoption, which was seconded by Councilmember Birdsall:

WHEREAS, the Borough of Sea Bright Fire Department desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$70,000 to carry out a project to purchase personal protective equipment and a gear dryer.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Sea Bright, County of Monmouth, State of New Jersey, does hereby:

1. authorize the application for such a grant; and
2. recognize and accept that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Sea Bright Fire Department and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

Brian P. Kelly, Mayor

Charles Murphy, Fire Dep. Chief

Christine Pfeiffer, Borough Clerk

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

No. 137-2022 Authorizing Grant Application to NJDOT For Fiscal Year 2023

Councilmember Booker offered the following resolution and moved its adoption, which was seconded by Councilmember Birdsall:

WHEREAS, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2023, and

WHEREAS, the Borough of Sea Bright is desirous of submitting an application under this program for the following purpose:

- Improvements to Island View Way, Garden Way and Longview Way

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Sea Bright, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

FURTHER BE IT RESOLVED that the Borough Engineer, Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA – 2023 – Improvements to Island View Way, Garden Way and Lon – 00585 to the New Jersey Department of Transportation on behalf of the Borough of Sea Girt; and

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

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

No. 138-2022 Authorizing the Cancellation of the Unexpended Balances of Various Ordinances

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

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed or no longer required; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus, and unused debt authorizations may be canceled; and

WHEREAS, there are grant and other receivables related to these cancellations, and as such, the finance department is authorized to cancel all associated receivables;

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright, that the unexpended and dedicated balances of General Capital Appropriations and any associated receivables be canceled:

<u>ORDINANCE</u>	<u>FUNDED</u>	<u>UNFUNDED</u>
Ordinance 2000-08	\$ 24.02	
Ordinance 2011-05	\$ 5,575.88	\$6,960.55
Ordinance 2011-09	\$ 741.47	
Ordinance 2018-07	\$ 4,905.09	
Ordinance 2018-08	\$ 9,887.39	\$38,000.00
Ordinance 2019-11	\$ 14.22	
Ordinance 2019-21	\$ 340.31	
Ordinance 2019-26	\$ 70.30	

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer, Fiscal Officer and Auditor.

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

No. 139-2022 Grace Period Extension for Payment of 3rd Quarter 2022 Taxes

Councilmember Booker 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 2022/2023; 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 3rd quarter 2022 taxes are not paid by the 10th 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 3rd quarter 2022 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: Bieber, Birdsall, Booker, Catalano, Keeler, Lamia
Yes Yes Yes Yes Yes Absent

No. 140-2022 Authorizing Sale of Borough Surplus Property No Longer Needed for Public use on an Online Auction Website

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

WHEREAS, the Borough of Sea Bright is the owner of surplus property, listed below, which is no longer needed for public use; and

1971 AMG Green Truck	Minimum Bid: \$2,000.00
Vin: 04K08 77105 25226 28	
Department: SB Fire Department	

2010 Chevy Impala	Minimum Bid: \$2,500.00
Vin: 2G1WD 5EM9A 12477 82	
Department: Police Department	

2007 Ford Ranger Pickup Truck Minimum Bid: \$2500.00
Vin: 1FTYR 11U27 PA853 58
Department: Public Works

Savin MPC5503 Color Multi-function Copier Minimum Bid: \$100.00
with Finisher SR3140 and Bridge Unit BU3070
Serial No. E184M610431

Meilink Combination Safe Minimum Bid: \$100.00
Serial No. 58-18421

WHEREAS, the Borough of Sea Bright intends to utilize the online auction services of GovDeals, Inc. through Sourcewell (Member ID 29820) located at www.govdeals.com; and

WHEREAS, the sales are being conducted pursuant to N.J.S.A. 40A:11-36 and the guidance set forth in the Division of Local Government Services’ Local Finance Notice 2019-15.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the Borough is hereby authorized to sell the surplus property as indicated above on an online auction platform entitled Govdeals.com; and

BE IT FURTHER RESOLVED, that the terms and conditions of the agreement entered into between Govdeals.com and the Borough of Sea Bright are available on www.govdeals.com and in the office of the Borough Clerk;

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

- 1. Public Works Deputy Director
- 2. Police Department
- 3. Finance Manager

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

No. 141-2022 Authorizing the Formation of a Sea Bright Cannabis Committee

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

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults and on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational cannabis operations; and

WHEREAS, Section 31a of the Act authorizes municipalities to adopt by ordinance regulations governing the local licensing endorsement, location, manner and times of operation of cannabis establishments and cannabis distributors, and the location and manner of cannabis delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, the Mayor and Council wish to determine what regulations governing cannabis are appropriate, and in the best interest of the health, safety and welfare of Sea Bright’s residents and members of the public; 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 appoint a Mayor’s Blue Ribbon Committee, pursuant to Chapter 3-7 of the Code of the Borough of Sea Bright, which shall act as the Cannabis Committee to research and in due course make recommendations to the Governing Body to establish cannabis regulations within the Borough; and

BE IT FURTHER RESOLVED that the following Council members be appointed to the Sea Bright Cannabis Committee:

- 1. Councilman Bieber**
- 2. Councilman Birdsall**
- 3. Councilman Booker**

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

REGULAR MEETING

JULY 19, 2022

No. 142-2022 Renewal of the 2022-2023 Liquor License for Sea Bright Caterers LLC, t/a Sea Bright Caterers 280 Ocean Avenue

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

WHEREAS, as directed by the New Jersey Division of Alcoholic Beverage Control (ABC), 2022-2023 annual renewal applications are submitted via the ABC’s web-based licensing portal called POSSE ABC; and

WHEREAS, the liquor license renewal listed below has been accepted by POSSE ABC, all State and Municipal renewal fees have been paid and Retail Tax Clearance Certificates, pursuant to Chapter 161, Laws of NJ 1995, have been granted by the Division of Taxation for the 2022-2023 license term; and

WHEREAS, the following license is being considered for renewal pursuant to having received a 12.39 special ruling from the Division of Alcohol Beverage Control - Department of Law and Public Safety; and

RETAIL CONSUMPTION LICENSES:	RENEWAL FEE: \$2,500.00
1343-33-019-014	Sea Bright Caterers LLC t/a Sea Bright Caterers 280 Ocean Avenue

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Sea Bright, County of Monmouth, State of New Jersey does hereby authorize the renewal of the aforesaid liquor license for the license term 2022-2023; and

- BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the following:
1. Chief of Police
 2. Licensee
 3. Division of Alcoholic Beverage Control

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

No. 143-2022 Authorizing Display of Fireworks at Sands Beach Club- August 23, 2022

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

WHEREAS, N.J.S.A. 21:3-3 permits the governing body of a municipality to "grant a permit" for the public display of fireworks after application has been made in writing; and

WHEREAS, Sands Beach Club, 825 Ocean Avenue (Block 23; Lot 13) has submitted an application to the Special Events Committee of the Borough of Sea Bright requesting permission for a display of fireworks to be held at Sands Beach Club on August 23, 2022 (rain-dates August 24/25, 2022); and

WHEREAS, such requests need to be approved by the Chief of Police, Fire Marshall and Special Events Committee of the Borough of Sea Bright, the US Fish and Wildlife Service and the NJ Division of Fish and Wildlife; and

WHEREAS, such displays shall be of such a character, and so located, discharged, or fired, as in the opinion of the Chief of Police and Fire Marshall, after proper inspection, shall not be hazardous to property or endanger any person or persons; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright, County of Monmouth, that the request for a fireworks display is hereby approved for Sands Beach Club to be held on August 23, 2022 in accordance approvals obtained from the above mentioned officials, the US Fish and Wildlife Service and the NJ Division of Fish and Wildlife; and

BE IT FURTHER RESOLVED that the Fire Official and Borough Clerk shall insure that all applicable regulations are enforced, all required permits are obtained and all necessary insurance documents are filed; and

- BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the following:
1. Sands Beach Club
 2. Fire Official
 3. Borough Police Chief
 4. Special Events Committee
 5. U.S. Fish and Wildlife Services

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

No. 144-2022 Authorizing Contract Extension for Solid Waste and Recyclable Materials Collection and Disposal Services

Councilmember Booker 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. 160-2019 on October 15, 2019, awarding a contract for the collection of Municipal Solid Waste, Bulk and Recyclable materials to Suburban Disposal Inc., Fairfield, NJ; and

WHEREAS, the solid waste contract was for three years, commencing on November 1, 2019 and ending on October 31, 2022 with the option of two one-year renewals beginning November 1, 2022; and

WHEREAS, the Borough Council of the Borough of Sea Bright does hereby exercise the first one-year extension option to continue the service for the collection of Municipal Solid Waste, Bulk and Recycling with Suburban Disposal Inc. of Fairfield, New Jersey.

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 one (1) year extension (November 1, 2022 – October 31, 2023) of the contract with Suburban Disposal Inc. of Fairfield, New Jersey for the collection of Municipal Solid Waste, Bulk and Recycling in accordance with the provisions on the attached payment schedule; 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:	Bieber,	Birdsall,	Booker,	Catalano,	Keeler,	Lamia
	Yes	Yes	Yes	Yes	Yes	Absent

No. 145-2022 Authorizing Signing Agreement to Hold Harmless and Indemnify Highlands, Atlantic Highlands and their Respective Boards of Education and the Board of Education of the Henry Hudson Regional School District in Connection with any Opposition to Sea Bright Withdrawing from Oceanport and Shore Regional School Districts

Councilmember Booker offered the following resolution and moved its adoption, which was seconded by Councilmember Birdsall:

WHEREAS, the Borough of Sea Bright (the Borough or Sea Bright) seeks to join an expanded PK-12 Henry Hudson Regional School District (the Regional School District) as a constituent member; and

WHEREAS, joining the Regional School District requires the filing of a petition with the Commissioner of Education and approval from the Commissioner of Education for Sea Bright to withdraw from the Oceanport and Shore Regional school districts; and

WHEREAS, such petition may be opposed by Oceanport and Shore Regional; and

WHEREAS, the Borough wishes to enter into an agreement to indemnify and hold harmless Highlands, Atlantic Highlands, their respective boards of education, as well as the Henry Hudson Regional School District.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright:

- 1. The Mayor is authorized to sign and the Clerk to attest the attached approved Hold Harmless and Indemnification Agreement.
- 2. A certified copy of this resolution will be delivered to:
 - a. Vito Gagliardi, Esq.
 - b. Kerri Wright, Esq.
 - c. Jonathan M. Busch, Esq.
 - d. The Borough Attorney

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

ORDINANCE:

Introduction: Mayor Kelly to read the ordinance by title:

CAPITAL ORDINANCE NO. 07-2022
AN ORDINANCE PROVIDING FUNDING FOR THE ACQUISITION OF EQUIPMENT FOR THE POLICE DEPARTMENT, FIRE DEPARTMENT AND ADMINISTRATION FOR THE BOROUGH OF SEA BRIGHT AND APPROPRIATING \$60,000 FOR SUCH PURPOSE.

Councilmember Bieber offered a motion to introduce Ordinance No. 07-2022 for a public hearing to be held on August 16, 2022 and advertise according to law; seconded by Councilmember Keeler:

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

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 equipment for the Police Department, Fire Department and Administration, including but not limited to, a breath alcohol testing unit, personal protective equipment, self-contained breathing apparatus, office equipment and other similar equipment for the Borough of Sea Bright, to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$60,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the Borough’s General Capital Fund in the amount of \$60,000.

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.

INDIVIDUAL ACTION/New Business

Vouchers: \$ 706,130.79

Councilmember Booker offered a motion to approve the Voucher List dated July 19, 2022 as submitted by the Finance Manager; seconded by Councilmember Keeler:

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

22-00306 03/16/22	STATE TOXICOLOGY LABORATORY	90.00
22-00398 04/06/22	FIREFIGHTER ONE, LLC Annual Maintenance 4377	1,720.00
22-00400 04/06/22	FIREFIGHTER ONE, LLC Annual Maintenance – 4375	1,720.00
22-00401 04/06/22	ALL HANDS FIRE EQUIPMENT, LLC Swift Water Rescue Training	1,950.00
22-00493 04/21/22	JESSE A. HOWLAND & SONS, INC. PARKING LOT LEASE	1,500.00
22-00502 04/27/22	MONMOUTH COUNTY PARK SYSTEM BENCH	244.47
22-00516 04/29/22	TAYLOR COMMUNICATIONS COURT	1,020.0
22-00522 05/05/22	ORIGINAL WATERMEN BEACH	4,967.96
22-00539 05/06/22	MATTHEWS, WILLIAM BLDG & GRDS	180.00
22-00605 05/23/22	CERTIFIED SPEEDOMETER	1,440.00
22-00618 06/01/22	ORIGINAL WATERMEN BEACH	8,667.50
22-00653 06/06/22	INTEGRATED TECHNICAL SYSTEMS	395.00
22-00658 06/06/22	LANIGAN ASSOCIATES, INC.	48.00
22-00663 06/06/22	MIDDLESEX COUNTY FIRE ACADEMY Firefighter Training	500.00
22-00665 06/06/22	JOHN GUIRE COMPANY Saw Repairs	182.80
22-00666 06/06/22	WINNER FORD OF CHERRY HILL	225.00

REGULAR MEETING**JULY 19, 2022**

22-00704 06/14/22	KEMPTON SHEDS	3,479.00
22-00710 06/16/22	HOME DEPOT CREDIT SERVICES	98.32
22-00711 06/16/22	SEA BRIGHT SERVICE CENTER Sts & Rds Vehicle Maintenance	747.78
22-00712 06/16/22	FIREFIGHTER ONE, LLC SCBA Repairs	124.23
22-00713 06/16/22	DRAGER SAFETY DIAGNOSTICS,INC	179.00
22-00715 06/16/22	SEA BRIGHT SERVICE CENTER	1,308.45
22-00716 06/16/22	FIREFIGHTER ONE, LLC Repairs - 4390	1,189.55
22-00718 06/16/22	POOR JOHNS PORTABLE TOILETS	732.00
22-00719 06/16/22	RYSER'S LANDSCAPE SUP YARD,INC beach	939.00
22-00720 06/16/22	RYSER'S LANDSCAPE SUP YARD,INC Beach Materials&Supplies	1,878.00
22-00721 06/16/22	CINTAS Beach Materials and Supplies	406.17
22-00722 06/16/22	CINTAS Bldgs and Grds Janitorial Supp.	166.39
22-00725 06/16/22	SEABOARD FIRE/SAFETY EQUIP CO. Bldgs. & Grds. Insp. Maint	660.00
22-00726 06/16/22	SEABOARD FIRE/SAFETY EQUIP CO. Bldgs. & Grds. Annual Insp.	985.00
22-00727 06/16/22	CINTAS Beach Materials & Supplies	424.35
22-00728 06/16/22	CINTAS Bldgs. & Grds. Janitorial	219.42
22-00730 06/16/22	STAPLES ADVANTAGE Office Supplies	498.29
22-00731 06/16/22	WEST MARINE Marine 43 Supplies	20.70
22-00732 06/16/22	MONMOUTH COUNTY PUBLIC WORKS Towing	270.73
22-00733 06/16/22	ALL HANDS FIRE EQUIPMENT, LLC Saw blades	431.50
22-00749 06/23/22	CAESARS ATLANTIC CITY NJLOM Conference Rooms	1,272.00
22-00755 06/23/22	COUSINS LANDSCAPING BLDGS & GRDS	1,700.00
22-00757 06/28/22	MONMOUTH COUNTY SPCA ANIMAL	325.00
22-00758 06/28/22	SHORE REGIONAL HIGH SCHOOL SCHOOL TAX	498,768.00
22-00759 06/28/22	OCEAN TWP FIRE DISTRICT NO. 2 FIRE OFFICIAL	350.00
22-00760 06/28/22	OCEANPORT BOARD OF EDUCATION SCHOOL TAX	73,450.92
22-00761 06/28/22	BOROUGH OF OCEANPORT COURT	6,500.00
22-00762 06/28/22	HOLMDEL TOWNSHIP FISCAL	3,312.50
22-00763 06/28/22	JESSE A. HOWLAND & SONS, INC. DPW	1,705.00
22-00764 06/28/22	CJM ASSOC. OF SEA BRIGHT LEASE	500.00
22-00766 06/28/22	RELIANCE GRAPHICS, INC. CLERK	794.00
22-00767 06/28/22	PORZIO,BROMBERG & NEWMAN LEGAL	5,980.00
22-00768 06/29/22	THE MEERS GROUP, LTD. TAX ASSESSOR	500.00
22-00769 06/29/22	RAIN, WILLIAM HEALTH	161.10
22-00770 06/29/22	JERSEY MAIL SYSTEMS,LLC A&E	148.95
22-00775 06/30/22	GENERAL CODE, LLC A&E	3,612.56
22-00777 06/30/22	J. SWANTON FUEL OIL CO., INC. FUEL	262.00
22-00778 06/30/22	GANNETT NJ PLAN. BRD	22.00
22-00780 07/01/22	LEGAL SHRED A&E	245.00
22-00781 07/05/22	NEW JERSEY AMERICAN WATER WATER	4,426.78
22-00782 07/05/22	FRIEDMAN, BRETT PUBLIC EVENTS	231.88
22-00783 07/05/22	VERIZON PHONE	290.52
22-00784 07/05/22	BOROUGH OF LITTLE SILVER PUBLIC EVENTS	980.00
22-00785 07/05/22	BOROUGH OF HIGHLANDS PUBLIC EVENTS	850.00
22-00786 07/05/22	BOROUGH OF FAIR HAVEN PUBLIC EVENTS	900.00
22-00787 07/05/22	BOROUGH OF MOMONMOUTH BEACH PUBLIC EVENTS	973.90

REGULAR MEETING**JULY 19, 2022**

22-00788 07/05/22	NJ STATE POLICE TROOP C H.Q. PUBLIC EVENTS	2,098.74
22-00789 07/05/22	ONE CALL CONCEPTS, INC. SEWER	65.78
22-00790 07/05/22	AMERICAN WATER WATER	327.33
22-00791 07/05/22	G & M TROPHY CO. A&E	15.00
22-00792 07/05/22	J. SWANTON FUEL OIL CO., INC. GASOLINE	774.18
22-00793 07/05/22	AT&T MOBILITY BEACH	337.41
22-00796 07/12/22	NJ NATURAL GAS COMPANY NATURAL GAS	1,129.01
22-00797 07/12/22	SUBURBAN DISPOSAL, INC. TRASH	21,904.05
22-00798 07/12/22	SUBURBAN DISPOSAL, INC. LANDFILL	12,914.74
22-00799 07/12/22	JCP & L ELECTRIC	5,784.12

Total: 693,221.08**MANUAL CHECKS**

22-00776 6/30/2022	WEX BANK GASOLINE:CREDIT ON ACCOUNT	\$12,000.00
22-00779 7/1/2022	NJ DEPT OF HEALTH MONTHLY DOG LICENSE REPORT	\$2.40
22- 7/15/2022	OCEAN HOUSE - 4th OF JULY CATERING	\$907.31

Total: \$12,909.71**GRAND TOTAL: \$706,130.79****MAYOR AND COUNCIL COMMENTS**

Councilman Bieber reported on behalf of the Administration Committee that their top priority right now is bulkhead improvements to mitigate flooding and they have been working on a plan to make the town more resilient – Councilman Bieber highlighted the steps the committee has taken to date. As the Planning Board liaison, he provided an update on what has been going on the last couple of months – there have been 4 new residential applications and highlighted that they approved Beachfront Joe to open a sub shop. The approval is contingent on the owner taking down the current structure on the property within sixty days.

Councilman Catalano reported that the beach camera installation was delayed but should be up and running soon. Beach badge sales remain steady and the numbers are ahead of last year. The junior lifeguard program has started session two and is going well. We have four Plovers in North Beach and two American Oystercatchers in South Beach. Councilman Catalano reported there were 23 water rescues in June and said Beach Manager Don Klein requested a foot washing station by the volleyball court entrance behind old boro hall – he will research options and report back.

Councilman Keeler reported the Court is very pleased with current operations but have been receiving many complaints about parking tickets. Regarding Shrewsbury Way, Councilman Keeler reported we are working with the same contractor that did Anchorage Park, for the walkway from the road to the splash pad. In conjunction with this, the Fire Department and Public Works will assist in washing the deck and stairs at this public access point to prepare them to be painted. A Public Safety meeting will be at the end of the week to discuss ongoing safety improvements throughout the town as well as updates from the NJDOT on our requests.

Councilman Birdsall looks forward to continuing progress in the Department of Public Works as Rob Smith starts his new position on Monday as Deputy Director. Unfortunately, visitors are leaving a lot of garbage and our crew is doing their best to keep up with it. The check valves should be coming in this week and will be installed soon.

Mayor Kelly reported the school regionalization is a huge work in progress but we are working directly with our professionals, Borough administration and the Mayors of Highlands and Atlantic Highlands and our petition was submitted to the Commissioner of Education last Friday. We are aiming to get the referendum question on the upcoming general election ballot – we have a tight time frame but we are working closely with our stakeholders to get this accomplished. Mayor Kelly also stated that we are grateful to be receiving seven donated defibrillators being arranged by the family of the young man who had a heart attack on our beach last year. Progress on all other matters.

EXECUTIVE SESSION

Councilmember Birdsall offered a motion to enter in to Closed Session; seconded by Councilmember Booker:

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:

The general nature of the subject matters to be discussed are as follows:

A. Contract Negotiations

B. Litigation

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	Yes	Yes	Absent

ADJOURNMENT

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

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

Respectfully submitted,

Christine Pfeiffer
Borough Clerk