

**MINUTES
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

AUGUST 16, 2022

SEA BRIGHT, NEW JERSEY

TO ATTEND THIS MEETING REMOTELY PLEASE USE THE FOLLOWING:

<https://meet.goto.com/663114805>

OR DIAL: (408) 650-3123

Access Code: 663-114-805

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, Jefferey M. Booker, Sr.,
Samuel A. Catalano, William J. Keeler, John M. Lamia, Jr.

ABSENT: Councilmember Kevin Birdsall

OTHERS: Attorney Richard Shaklee, CFO Michael Bascom,
Clerk Christine Pfeiffer

MOMENT OF SILENCE FOR SEA BRIGHT'S OCEAN RESCUE CHIEF WHO RECENTLY PASSED AWAY:

MICHAEL HUDSON (HUD)

Mayor Kelly announced the passing of our Ocean Rescue Chief Michael Hudson who helped build our beach and emergency services operation. There will be a memorial service for Mike this Sunday on the beach at 5 pm.

Councilman Catalano stated on August 9th, we learned of the passing of Chief Mike "Hud" Hudson. Mike was a good man and a great lifeguard. He was a true professional in his craft and has made a career in being a lifeguard and paramedic all over the country. In addition, he was a former Navy Corpsman, special operations medical instructor, MICP paramedic, dive safety expert, and COVID-19 compliance officer. Mike has done a lot of great things in his career but many feel that Sea Bright was his crowning achievement. Mike was able to use his experience working in many different public safety capacities to create a lifeguard service in Sea Bright that is at the forefront of the lifesaving industry – he made Sea Bright Ocean Rescue a shining example for other municipalities. He has spent his entire life helping others and Sea Bright was lucky to have him for the time that we did. He was one of a kind and will be sorely missed. The outpouring of love for Chief Hudson is nothing short of amazing.

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 Ave, explained that you can support the legalization of marijuana but not want it sold within the boundaries of your town. Even though legalizing cannabis in NJ won by a 60% margin, 400 towns have banned it. Mayor Kelly explained that we have only been gathering information and tonight we are passing a resolution to establish members on the Cannabis Committee. Councilman Bieber stated we have formulated a committee and held their first meeting. They have put together a plan on how this is going to work – they want to do this in a transparent way. They will hold a public engagement session - it will be posted on the website, social media, and the electronic sign in front of the municipal complex. Then they will speak with the local businesses and the parties interested in opening up these dispensaries. He also wants to speak with our Police Department/EMS and other municipalities that have already allowed these businesses in their towns. Councilman Bieber stressed that they want to hear from everyone.

Steve Kelly, 2 Peninsula Ave, expressed his concerns about the passing of cannabis sales on Peninsula Avenue particularly because there is not outlet and it would add to the traffic problem. Councilman Bieber stated that they are very far away from even deciding on a location.

Jorge Knudson, 1 Church St, asked Council why we need this kind of business in town when so many are dying of drug overdoses. Why do we need to push drugs – no matter what, it is a drug. Mr. Knudson was assured that any public meetings on the subject will be held in person.

CONSENT AGENDA

Councilmember Catalano offered a motion to pull Resolution No. 153-2022; seconded by Councilmember Booker:

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

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

Minutes

07-14-2022 Workshop Meeting
07-14-2022 Executive Session
07-19-2022 Regular Meeting
07-19-2022 Executive Session

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

Resolutions:

No. 146-2022 Approving Final Payment, Release Of Performance Guarantee and Accepting Two-Year Maintenance Bond for the 2020 Roadway Improvement Project (Riverview Place, River Way, Shrewsbury Way, Henry Lane)

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

WHEREAS, in accordance with Resolution No. 89-2021, the Borough of Sea Bright awarded a contract to Black Rock Enterprises, LLC of Old Bridge, New Jersey for the 2020 Roadway Improvement Program for a contract amount of \$310,000.00; and

WHEREAS, three change orders were approved: 1) Res No. 154-2021 – increase of \$15,100.00; 2) Res No. 193-2021 - increase of \$18, 450; and 3) Res No. 53-2022 – decrease of \$17,446.81, resulting in a new contract amount of \$326,103.19; and

WHEREAS, Borough Engineer, Gregory S. Blash, P.E., of Leon S. Avakian, Inc. Consulting Engineers has advised the Borough Clerk by letter dated July 11, 2022, that all work for said project has been completed, inspected and found to be constructed in compliance with the approved plans and specifications and recommends release of the final payment in the amount of \$7,384.31; and

WHEREAS, as required, Black Rock Enterprises, LLC as Contractor, and Great American Insurance Group, have provided a two-year Maintenance Bond (No. CA-3854309M) effective as of the date of substantial completion of the project (July 13, 2022) in the amount of \$81,525.80.

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 \$7,384.31 are available in Bond Ordinance No. 14-2021 for the purpose stated herein.


MICHAEL J. BASCOM, CFO

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey does hereby approve the final payment of the \$7,384.31 and the two-year Maintenance Bond (No. CA-3854309M) in the amount of \$81,525.80, is hereby accepted for the 2020 Road Improvement Project; and

BE IT FURTHER RESOLVED, that the Performance Bond (No. CA-3854309) in the amount of \$310,000.00, submitted by Black Rock Enterprises, LLC is hereby released; and

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

- 1. Borough Engineer
- 2. Black Rock Enterprises, LLC
- 3. Finance Manager

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

No. 147-2022 Refund of Tax Overpayments

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

WHEREAS, an overpayment of taxes were made for the following:

<u>Block</u>	<u>Lot</u>	<u>Year</u>	<u>Name</u>	<u>Amount</u>
10	21	2022	Craig Grant	\$ 4,733.19
10	21.02	2022	Craig Grant	\$ 1,578.97

Total: \$ 6,312.16

WHEREAS, the Tax Collector recommends that the tax overpayments be refunded accordingly; 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 Tax Collector and the Finance Manager to refund the said tax overpayments; and

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

1. Tax Collector
2. Finance Manager
3. Craig Grant

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

No. 148-2022 Authorizing Display of Fireworks at Surfrider Beach Club- September 10, 2022

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

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, Surfrider Beach Club, 931 Ocean Avenue (Block 23; Lot 12) submitted an application to the Special Events Committee of the Borough of Sea Bright requesting permission for a display of fireworks at a wedding to be held at Surfrider Beach Club on September 10, 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, State of New Jersey, that the request for a fireworks display at Surfrider Beach Club to be held on September 10, 2022 is hereby approved in accordance with the 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. Surfrider 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 Absent Yes Yes Yes Yes

No. 149-2022 Donation of 2023 Beach Badges

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

WHEREAS, the Governing Body of the Borough of Sea Bright wish to support the fundraising efforts for the local organization listed below by donating two (2) 2023 beach badges as requested:

- 1. Catholic Daughters of America **2 Badges**
Bingo/Gift Auction – November 5, 2022

WHEREAS, the Borough Auditor has been informed and advised that a resolution should be considered in order to donate 2023 Season Beach Badges.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey authorize the donation of two (2) 2023 Season Beach Badges to the aforementioned charitable organization; and

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

- 1. Borough Administrator
- 2. Borough Auditor
- 3. Individual Requestor

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

No. 150-2022 Appointing School Crossing Guards

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

WHEREAS, N.J.S.A. 40A:9-154.1 provides that municipalities may appoint school crossing guards for terms not exceeding one year; and

WHEREAS, there exists a need within the Borough to appoint crossing guards; and

WHEREAS, the appointments are contingent upon the completion of background investigations and completion of training administered by the Sea Bright Police Department and the Monmouth County Joint Insurance Fund.

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 the following Sea Bright residents as volunteer School Crossing Guards for the 2022/2023 school year:

- 1. Heather Gorman
- 2. Edward Gorman
- 3. Erja Gee
- 4. Danny Gee
- 5. Danielle Scarrone

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

- 1. Sea Bright Police Chief
- 2. Monmouth County JIF
- 3. Individual Guards

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

No. 151-2022 Renewal of the 2022-2023 Liquor License for Superstar Enterprises t/a The Cove

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

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

1343-33-008-004

Superstar Enterprises, Inc.
t/a The Cove
1250 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 Absent Yes Yes Yes Yes

No. 152-2022 Approving a Lease Between the Borough of Sea Bright and the Sea Bright Emergency Services Squad for One Ambulance and One SUV

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

WHEREAS, the Sea Bright Emergency Services Squad possesses title and ownership of one 2010 Ford E-450, VIN:1FDXE-4FP9A-DA275-23 ("Ford") and one, 2013 Dodge Durango, VIN: 1C4RD-JAG0D-C6603-01("Dodge"); and

WHEREAS, the Sea Bright Emergency Services Squad’s insurance does not insure drivers under the age of 21 years old; and

WHEREAS, members of the Sea Bright Emergency Services Squad, and Sea Bright Beach Patrol have members under the age of 21 years old that may need to operate both vehicles; and

WHEREAS, the Borough of Sea Bright’s Joint Insurance Fund (JIF) insurance plan insures drivers ages 18 years old and older; and

WHEREAS, on October 1, 2021, the Borough of Sea Bright and the Sea Bright Emergency Services Squad entered into a one-year agreement to lease both vehicles from the Sea Bright Emergency Services Squad for \$1.00 each and insure them through the Borough’s JIF plan to insure drivers ages 18 and older; and

WHEREAS, the Borough of Sea Bright and the Sea Bright Emergency Services Squad wish to extend said lease for an additional one (1) year commencing October 1, 2022 through September 30, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth and State of New Jersey that the Borough Council approves the Lease Agreement between the Borough of Sea Bright and the Sea Bright Emergency Services Squad for the Ford and Dodge vehicles aforementioned for a cost of \$1.00 each per year.

BE IT FURTHER RESOLVED, the Mayor is authorized to sign and the Clerk to attest the said lease Agreement.

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

- 1. Borough Fire Chief
- 2. First Aid Captain
- 3. Finance Manager

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

No. 153-2022 Authorizing a School Regionalization Referendum
CARRIED to Special Meeting to be held August 19, 2022

ORDINANCE(s):

Public Hearing: 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 open the public hearing on Ordinance No. 07-2022; seconded by Councilmember Booker:

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

Public Hearing (Ord. No. 07-2022)

No one wished to be heard.

Councilmember Booker offered a motion to close the public hearing on Ordinance No. 07-2022; seconded by Councilmember Keeler:

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

Councilmember Keeler offered a motion to adopt Ordinance No. 07-2022 and advertise according to law; seconded by Councilmember Booker:

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

Resolution(s):

No. 154-2022 Mayor’s Blue Ribbon Cannabis Committee Appointment

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

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, by way of Resolution No. 141-2022 approved on July 19, 2022, the Borough Council appointed a Mayor’s Blue Ribbon Committee (Councilmembers Booker, Bieber and Birdsall) 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

WHEREAS, Councilman Booker resigned from said Committee and the Mayor would like to appoint Councilman Lamia to fill the vacancy.

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 Councilman Lamia to the 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 will service on the Sea Bright Cannabis Committee:

- 1. Councilman Bieber, Chair**
- 2. Councilman Birdsall**
- 3. Councilman Lamia**

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

Vouchers: \$1,422,031.09

Councilmember Booker offered a motion to approve the Voucher List dated August 16, 2022 as submitted by the Finance Manager; seconded by Councilmember Keeler:

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

2790	ACB SERVICES, INC.					
22-00724	06/16/22 Bldgs. & Grds, Cont. Servs,	Open		3,888.73		
2771	AFFORDABLE HOUSING ALLIANCE					
22-00832	07/21/22 AFFORDABLE HOUSING	Open		10,000.00		
00218	ALICE'S KITCHEN					
22-00803	07/19/22 BEACH	Open		169.90		
02113	AMERICAN WATER					
22-00853	07/27/22 SEWER	Open		323.93		
02227	APOLLO SEWER & PLUMBING, INC.					
22-00808	07/20/22 SEWER	Open		350.00		
00820	APOLLO SEWER & PLUMBING, INC.					
22-00813	07/20/22 Beach	Open		175.00		
01494	ATLANTIC TACTICAL, INC.					
20-00631	05/29/20 POLICE	Open		570.27		
21-00383	03/30/21 POLICE: EQUIPMENT ALLOWANCE	Open		1,129.72		
22-00048	01/12/22 POLICE	Open		523.58		
22-00141	02/01/22 POLICE	Open		2,830.88		

				5,054.45		
2770	Axon Enterprise, Inc.					
22-00754	06/23/22	Open		25,272.00		
01241	BAIN'S HARDWARE, INC.					
22-00856	07/28/22 HARDWARE	Open		702.75		
22-00926	08/11/22 HARDWARE	Open		1,373.51		

				2,076.26		
2640	BATHGATE, WEGENER & WOLF					
22-00912	08/11/22 LEGAL	Open		1,224.62		
01957	BENEMAX BENEFIT MANAGEMENT CO.					
22-00885	08/04/22 HEALTH	Open		648.00		
2376	BLACKROCK ENTERPRISES					
22-00192	02/10/22 2020 ROADWAY PROGRAM	Open		7,384.31		
01631	BOROUGH OF OCEANPORT					
22-00893	08/08/22 COURT	Open		6,500.00		
01565	BOROUGH OF SEA BRIGHT					
22-00898	08/08/22 ADMIN FEES	Open		20,092.50		

REGULAR MEETING

AUGUST 16, 2022

01974	BOROUGH OF SEA BRIGHT COURT		
22-00914	08/11/22 COURT	Open	24.90
00789	C & C SIGNS & BANNERS		
22-00812	07/20/22 Streets and Roads	Open	617.83
00230	CERTIFIED SPEEDOMETER		
22-00752	06/23/22	Open	867.00
2680	CINTAS		
22-00819	07/20/22 Beach	Open	450.89
22-00820	07/20/22 Buildings & Grounds	Open	197.12
22-00821	07/20/22 Beach	Open	413.08
22-00823	07/20/22 Buildings & Grounds	Open	315.16
22-00824	07/20/22 Beach	Open	294.18
22-00825	07/20/22 Beach	Open	742.63
22-00826	07/20/22 Buildings & Grounds	Open	211.72
22-00829	07/20/22 Beach	Open	592.68
22-00845	07/27/22 Beach/Library Pavilion	Open	531.58
22-00846	07/27/22 Buildings & Grounds	Open	307.34

			4,056.38
2555	CJM ASSOC. OF SEA BRIGHT		
22-00894	08/08/22 LEASE	Open	500.00
00256	CLEARY, GIACOBBE, ALFIERI &		
22-00833	07/21/22 LEGAL	Open	198.00
22-00906	08/11/22 LEGAL	Open	336.00

			534.00
01801	COLLIER ENGINEERING & DESIGN		
22-00225	02/22/22 ENGINEER	Open	443.30
22-00843	07/25/22 PLAN BOARD	Open	5,457.50

			5,900.80
01493	COOPERATIVE INDUSTRIES, L.L.C.		
22-00922	08/11/22 NATURAL GAS	Open	560.73
2795	CORREGANO, GLENN		
22-00795	07/06/22 Staining Bch Access Shrewbury	Open	2,500.00
02231	COUSINS LANDSCAPING		
22-00755	06/23/22 BLDGS & GRDS	Open	4,495.00
2849	CREST, LLC		
22-00870	08/02/22 BEACH	Open	3,346.00
2787	CYCLE PASSIONS, LLC		
22-00849	07/27/22 BEACH	Open	1,264.35
02253	DAVID HODER ASSOCIATES		
22-00855	07/27/22 PLAN BRD	Open	700.00
22-00886	08/04/22 PLAN BRD	Open	700.00

			1,400.00
2655	DE SESA ENGINEERING CO.		
22-00817	07/20/22 Buildings & Grounds	Open	132.00
00609	EAGLE POINT GUN		
22-00750	06/23/22	Open	436.73
01754	EDMUNDS & ASSOCIATES, INC.		
22-00858	08/01/22 TAX	Open	385.00
00191	EXPERT GROUP, LLC		
22-00444	04/14/22 MDC Repairs	Open	679.95
22-00878	08/03/22	Open	3,524.00

			4,203.95
01817	FINEGAN, GEORGE		
22-00873	08/02/22 ANIMAL	Open	435.13
01720	FIREFIGHTER ONE, LLC		
22-00809	07/20/22 SCBA Repairs	Open	84.37
22-00810	07/20/22 Emergency Repairs - 4375	Open	2,595.91
22-00851	07/27/22 SCBA Repairs	Open	357.58
22-00852	07/27/22 4377 - Transmission	Open	232.50

			3,270.36
00575	GALLS, INC.		
21000009	01/06/21 POLICE-CLOTHING ALLOWANCE	Open	103.53
22-00657	06/06/22	Open	218.35
22-00857	07/28/22 POLICE	Open	143.90

			465.78
02101	GANNETT NJ		
22-00841	07/25/22 CLERK	Open	27.28
00097	GARDEN IRRIGATION CO., INC.		
22-00696	06/13/22	Open	1,650.00
00397	GARDEN STATE RESCUE PRODUCTS		
22-00847	07/27/22	Open	390.00
00979	GIBBONS, P.C.		
22-00913	08/11/22 LEGAL	Open	475.00
01194	GLENCO SUPPLY, INC.		
22-00838	07/22/22	Open	480.00

REGULAR MEETING

AUGUST 16, 2022

02252	GRAINGER, INC.		
22-00723	06/16/22 Beach Fuel Storage Cabinet	Open	1,074.98
2852	GRANT, CRAIG		
22-00905	08/11/22 TAX REFUND	Open	6,312.16
01887	HEIM ELECTRONICS, INC.		
22-00925	08/11/22 BLDGS & GRDS	Open	2,773.11
01838	HOLMAN, FRENIA, ALLISON, P.C.		
22-00916	08/11/22 AUDIT	Open	15,000.00
2710	HOLMDEL TOWNSHIP		
22-00896	08/08/22 FISCAL	Open	3,312.50
2297	INTEGRATED TECHNICAL SYSTEMS		
22-00888	08/08/22 PARKING	Open	540.00
2561	INTRON TECHNOLOGY SOLUTIONS		
22-00921	08/11/22 I.T.	Open	9,335.47
01419	J. SWANTON FUEL OIL CO., INC.		
22-00836	07/22/22 GASOLINE	Open	317.89
2470	JAX LLC NW SHIRT SHOP		
22-00624	06/01/22 BEACH	Open	1,200.00
2573	JCP & L		
22-00917	08/11/22 ELECTRIC	Open	5,679.27
2488	JERSEY SHORE POWERSPORTS		
22-00848	07/27/22	Open	637.14
00297	JESSE A. HOWLAND & SONS, INC.		
22-00493	04/21/22 PARKING LOT LEASE	Open	1,500.00
22-00895	08/08/22 DPW	Open	1,705.00

			3,205.00
01784	JUNGLE LASERS, LLC		
22-00840	07/25/22 BLDG DEPT	Open	760.00
02110	KLEIN, DON		
22-00804	07/19/22 BEACH	Open	1,411.68
00015	LANIGAN ASSOCIATES, INC.		
22-00805	07/20/22	Open	47.85
2563	LEGACY CONSTRUCTION MNGMNT.		
22-00902	08/10/22 A&E	Open	877.50
00108	LEON S. AVAKIAN, INC.		
22-00837	07/22/22 PLAN BOARD	Open	2,712.50
22-00839	07/25/22 ENGINEER	Open	320.00
22-00919	08/11/22 ENGINEER	Open	21,647.50

			24,680.00
01603	M AND N VENTURES		
22-00391	04/06/22 B & G- OTHER	Open	678.00
22-00604	05/23/22 Beach Pavilion Elevator Sign	Open	170.00
22-00814	07/20/22 Streets & Roads	Open	2,308.00

			3,156.00
00337	MARINE RESCUE PRODUCTS, INC.		
22-00623	06/01/22 BEACH	Open	1,534.00
2417	MARLIN BUSINESS BANK		
22-00685	06/07/22 POSTAGE MACHINE LEASE	Open	120.10
22-00923	08/11/22 A&E	Open	159.00

			279.10
2278	MCLAUGHLIN, STAUFFER & SHAKLEE		
22-00899	08/08/22 LEGAL	Open	6,138.52
2838	MOBILE PAYMENT PROCESSING SYS		
22-00887	08/08/22 PARKING	Open	2,875.25
00110	MONM CNTY REGIONAL HEALTH		
22-00897	08/08/22 HEALTH	Open	15,674.39
00688	MONMOUTH COUNTY POLICE ACADEMY		
22-00753	06/23/22	Open	25.00
22-00811	07/20/22	Open	50.00

			75.00
02045	MONMOUTH COUNTY SPCA		
22-00890	08/08/22 ANIMAL	Open	325.00
01323	MONMOUTH COUNTY TREASURER		
22-00802	07/19/22 PUBLIC EVENTS	Open	1,005.50
22-00822	07/20/22 Postage for Primary Ballots	Open	121.82

			1,127.32
00190	MUNICIPAL CLERKS ASSOC OF NJ		
22-00806	07/20/22 2022/23 Membership	Open	175.00
2848	NANOTECH SOLUTIONS		
22-00865	08/01/22 BEACH	Open	599.60
00339	NAPA AUTO PARTS CENTER		
22-00880	08/03/22 Strets & Roads	Open	146.91

REGULAR MEETING**AUGUST 16, 2022**

00671	NJ DEPT OF COMMUNITY AFFAIRS 22-00834 07/21/22 BLDG DEPT	Open	2,510.00
01309	OCEANPORT BOARD OF EDUCATION 22-00760 06/28/22 SCHOOL TAX	Open	73,450.92
00046	ONE CALL CONCEPTS, INC. 22-00910 08/11/22 SEWER	Open	55.77
2290	PORZIO, BROMBERG & NEWMAN 22-00884 08/04/22 LEGAL	Open	31,291.58
01463	PUMPING SERVICES, INC. 22-00250 03/01/22 Air relief valve replacement	Open	5,913.30
00164	RAIN, WILLIAM 22-00900 08/10/22 HEALTH INS	Open	161.10
2728	READY REFRESH BY NESTLE 22-00918 08/11/22 WATER	Open	540.99
2354	REALTY DATA SYSTEMS 22-00920 08/11/22 TAX	Open	1,230.00
2745	REMINGTON & VERNICK ENGINEERS 22-00904 08/11/22 ENGINEER	Open	889.00
00027	SEABOARD WELDING SUPPLY, INC. 22-00889 08/08/22 DPW	Open	29.00
01027	SHORE BUSINESS SOLUTIONS 22-00915 08/11/22 COPIERS	Open	572.12
00053	SHORE REGIONAL HIGH SCHOOL 22-00758 06/28/22 SCHOOL TAX	Open	258,766.88
00222	SIGNS & LETTERS UNLIMITED 22-00714 06/16/22	Open	895.00
02225	STAPLES ADVANTAGE 22-00772 06/29/22 Office Supplies 22-00774 06/30/22 OFFICE SUPPLIES 22-00827 07/20/22 POLICE: OFFICE SUPPLIES	Open Open Open	80.43 249.99 121.23
			----- 451.65
2535	SUBURBAN DISPOSAL, INC. 22-00907 08/11/22 TRASH 22-00908 08/11/22 DUMPSTERS 22-00909 08/11/22 LANDFILL	Open Open Open	21,616.11 2,683.22 8,921.33
			----- 33,220.66
00656	TAYLOR FENCE CO., INC. 22-00705 06/14/22 22-00818 07/20/22 Buildings & Grounds	Open Open	1,725.00 66.63
			----- 1,791.63
00973	THE TWO RIVER TIMES 22-00863 08/01/22 CLERK	Open	23.87
2457	UNITED STATES LIFESAVING ASSOC 22-00315 03/21/22 BEACH	Open	500.00
02061	VERIZON WIRELESS 22-00924 08/11/22 FIRE	Open	268.27
2657	WAPRO INC. 22-00756 06/23/22 CHECK VALVES	Open	54,400.00
02150	WRIGHT NATIONAL FLOOD 22-00866 08/02/22 INSURANCE	Open	20,117.00

Total: \$713,814.80**PRE-APPROVED AND PAID**

2597	AT&T MOBILITY 22-00864 08/01/22 BEACH	Clsd	326.41
2640	BATHGATE, WEGENER & WOLF 22-00882 08/03/22 LEGAL	Clsd	3,743.31
01493	COOPERATIVE INDUSTRIES, L.L.C. 22-00877 08/02/22 NATURAL GAS	Clsd	1,053.19
01526	JCP & L 22-00876 08/02/22 ELECTRIC	Clsd	7,397.20
2278	MCLAUGHLIN, STAUFFER & SHAKLEE 22-00801 07/18/22 LEGAL	Clsd	6,784.47
01399	NEW JERSEY AMERICAN WATER 22-00859 08/01/22 WATER	Clsd	9,128.94
00113	NJ NATURAL GAS COMPANY 22-00842 07/25/22 NATURAL GAS	Clsd	906.67
00223	TREASURER, COUNTY OF MONMOUTH 22-00860 08/01/22 COUNTY TAX	Clsd	537,862.57
00523	TREASURER, COUNTY OF MONMOUTH 22-00861 08/01/22 OPEN SPACE TAX	Clsd	74,605.78

REGULAR MEETING

AUGUST 16, 2022

00439	TREASURER, COUNTY OF MONMOUTH		
22-00862	08/01/22 LIBRARY TAX	Clsd	40,474.75
01403	TREASURER, STATE OF NEW JERSEY		
22-00831	07/21/22 CLERK	Clsd	225.00
2291	VERIZON		
22-00867	08/02/22 FIOS	Clsd	281.65
2658	VERIZON		
22-00868	08/02/22 PHONE	Clsd	1,031.80
22-00869	08/02/22 PHONE	Clsd	302.14

			1,333.94
02061	VERIZON WIRELESS		
22-00871	08/02/22 FIRE	Clsd	268.11
22-00872	08/02/22 CELLS	Clsd	189.13
22-00883	08/03/22 CELLS	Clsd	1,638.12

			2,095.36
00077	WEX BANK		
22-00875	08/02/22 GASOLINE	Clsd	1,175.21
2850	WEX BANK (NEW)		
22-00874	08/02/22 GASOLINE	Clsd	1,094.38
			Total: \$688,488.83

BILL LIST AUGUST 16, 2022 - MANUAL CHECKS & ELECTRONIC PAYMENTS

22-00835	BORO OF SEA BRIGHT HEALTH INSURANCE		\$4,189.14
7/20/2022	REPLENISH FUND		
22-00911	NJ DEPT OF HEALTH		\$1.20
8/11/2022	DOG LICENSE REPORT/JULY		
22-00854	UNITED STATES POSTAL SERVICE		\$1,000.00
7/27/2022	BULK MAIL-TAX & SEWER BILLS/LETTERS TO RESIDENTS		
22-00891	WEX ON-LINE		\$8,755.96
8/8/2022	GASOLINE	(NEW ACCOUNT)	
22-00892	WEX BANK FLEET		\$5,781.16
8/8/2022	GASOLINE	(OLD ACCOUNT)	
			TOTAL: \$19,727.46
			GRAND TOTAL: \$1,422,031.09

Introduction: Mayor Kelly to read the ordinance by title:

ORDINANCE NO. 08-2022
AN ORDINANCE OF THE BOROUGH OF SEA BRIGHT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING THE PRIVATE SALE OF NON-CONFORMING REAL PROPERTY KNOWN AS A PORTION OF BLOCK 23, LOT 1 TO CONTIGUOUS PROPERTY OWNERS PURSUANT TO NJSA 40A:12-13(B)(5)

Councilmember Catalano offered a motion to introduce Ordinance No. 08-2022 for a public hearing to be held on September 6, 2022 and advertise according to law; seconded by Councilmember Bieber:

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

WHEREAS, NJSA 40A:12-13(B)(5) authorizes the sale of municipally owned property which is less than the minimum size required for development under the Municipal Zoning Ordinance; and which is without any capital improvement thereon, to the owners of contiguous real property; and

WHEREAS, the Borough Council has found and determined that a portion of the real property designated as Block 23, Lot 1 aforesaid (hereinafter the "Property") will not be needed for public use and may be offered for sale to the contiguous owners pursuant to the cited statutes; and

WHEREAS, the Property extends westward from the current border of Block 22, Lot 1, 10.42 feet and runs the length of Block 22, Lot 1, which is 54.86 feet and is more fully described by the legal description attached as Schedule A; and

WHEREAS, the Tax Assessor of the Borough of Sea Bright has recommended the sale of the subject lot with a minimum bid price of \$25,000.00;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey as follows:

SECTION I

Within five (5) days following final enactment of this ordinance, the Borough Clerk shall post on the regular Borough Hall bulletin board and advertise in a newspaper circulating in the Borough, a notice setting forth the following information as to the sale of a portion of Block 23, Lot 1 on the Borough of Sea Bright Tax Map, whose sale is hereby authorized. A copy of this notice shall be mailed by certified mail by the Borough Clerk to all contiguous property owners of the property being offered for sale within the aforesaid five (5) day period.

PUBLIC NOTICE**BOROUGH OF SEA BRIGHT - MONMOUTH COUNTY**

TAKE NOTICE that an ordinance of the Borough of Sea Bright adopted pursuant to NJSA 40A:12-13(b)(5) on the Borough of Sea Bright offers for sale the following property to contiguous property owners under the following terms and conditions:

Property offered for Sale: a portion of Block 23, Lot 1 of the Borough of Sea Bright Tax Map;

Minimum Price: \$25,000.00;

All offers must be made within twenty (20) days following this advertisement at not less than the minimum price above;

Deed Restriction: The Property shall be precluded from further sale as a separate lot by the contiguous owner purchasing said property pursuant to this Ordinance and shall be consolidated with the adjacent property. The Property will have no further development except a canopy structure with support legs, with a retractable cover, covering the area shown on the diagram attached as Schedule B, may be constructed subject to all necessary approvals and permits. However, permanent walls are prohibited. The Purchaser must construct a sidewalk extension and curbing per the diagram attached hereto as Schedule B, although the sidewalk and curbing will remain on the Borough's property. Such sidewalk must match in height and appearance the existing sidewalk and must have an Americans with Disabilities Act (ADA) accessible access toward East Ocean Avenue in addition to maintaining any other ADA accessible accesses already in place. If the Property is used for patrons of the restaurant establishment safety bollards and/or wall and/or fence must be placed around the perimeter at the discretion of the Borough's Planning Board. All of the foregoing will be completed by and be at the sole expense of the purchaser and will be subject to any applicable permitting requirements.

The sale is made subject to all restrictions, covenants, restrictions and conditions of record, with said property being sold in an "as is" condition and is being sold subject to such other facts that an accurate, certified survey would reveal. The sale is further subject to the purchaser obtaining subdivision, and site plan approval if required, to consolidate the Property for use with the contiguous property. Nothing in this sale shall affect the right to lawful occupancy of use of the Property by any municipal or private utility to occupy or use the Property as lawfully occupied or used by it.

Any contiguous property owner desiring to make an offer for the purchase of the property being offered for sale herein shall, within twenty (20) days following advertisement of this notice or a receipt of a mailed copy of this notice, make an offer in writing by certified mail addressed to the Borough Council c/o Borough Clerk, Borough of Sea Bright, 1099 Ocean Avenue, Sea Bright, NJ 07760 at no less than the minimum price set forth hereinabove. All bids must be received no later than 12:00 p.m. on September 29, 2022, all bids must be marked "Sealed Bid Enclosed".

The Borough Council of the Borough of Sea Bright reserves the right to reject any and all offers, and shall accept or reject any offer within thirty (30) days of the advertisement of this public notice. If the Borough Council fails to accept or reject any offer within the aforesaid time period, all offers will be deemed rejected. Where there is more than one owner with real property contiguous to the property being offered for sale, the subject property will be sold to the highest bidder or offer from among all such owners submitting an offer as provided for herein. All offers shall be accompanied by a certified or cashier's check in the amount of ten percent (10%) of the offer made, payable to the Borough of Sea Bright; the balance shall be paid at closing of title.

A meets and bounds description must be provided by the successful bidder within twenty (20) days after the acceptance of the offer by the Borough Council.

The closing of title shall be by a bargain and sale deed without covenants as to grantor. Closing shall take place no later than ninety (90) days after the acceptance of the offer by the Borough Council. The Borough of Sea Bright makes no representation as to the condition or marketability of title as to the subject property.

In addition to the purchase or offer price, it shall be the responsibility of the successful bidder to pay at closing the advertisement and mailing costs in connection with this sale and the Borough Attorney's fee for the preparation of the deed in connection with this sale. If the successful bidder

or offer shall fail to close title through no fault of the Borough, the successful bidder or offerer shall forfeit the deposit made for the sale, which shall be retained by the Borough as liquidated damages, except in the event the successful bidder or offerer is not successful in obtaining subdivision and site plan approval to develop the Property with the contiguous property, the Borough shall return the deposit to the successful bidder and neither party shall have any further obligation to the other with regard to the Property.

The Borough Clerk shall file with the Director, Division of Local Government Services in the Department of Community Affairs, a sworn affidavit verifying publication of advertisement as required by this ordinance.

SECTION II

All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

SECTION III

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 IV

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 August 16, 2022 and will be further considered after a Public Hearing held on September 6, 2022.

MAYOR AND COUNCIL COMMENTS

Councilman Bieber stated that the Administration Committee is continuing to look into ordinances. Presently, we do not have an ordinance for short-term rentals and are looking at the surrounding towns and working with Code Enforcement Officer Tom Haege to put together something that is suitable for Sea Bright....focusing on two components: 1) a registration process, and 2) collection of the municipal tax through the State. Once an ordinance it is finalized, we will work on a communication plan. The committee has also been focusing on bulkhead improvements in the downtown area - defining the costs, reaching out to property owners, and hopefully the ordinance will take effect by the beginning of next year to improve flood resiliency.

Councilman Catalano reported that this Sunday (8/25) at 5:00pm we will be honoring the life of Ocean Rescue Captain Mike Hudson on the beach and encourages everyone to come celebrate his life. Councilman Catalano also explained that from an operations standpoint the beach is operating at full capacity and the lifeguards will continue to serve at the highest level. Beach Manager Don Klein has set up therapy sessions for anyone who would like grief counseling.

Councilman Lamia explained the Cub Scouts and 2 youth basketball camps used the recreation center during July and August. There is an Amazon series called "Shelter" filming the opening scene on our beach and they are also renting our gym space. We received the pickleball nets and they just need to be set up. The Recreation Department has a band scheduled tonight and August 30th playing on the beach behind the Beach Pavilion. Once the summer season is over, he will meet with Recreation Director Don Klein to discuss better ways to utilize the recreation space. The seniors will reconvene using the meeting room in September and Good Morning America was here working with Ocean Rescue doing a piece on how to utilize drone technology in rescue scenarios.

Mayor Kelly saluted Mike Hudson one last time - we will miss him a lot - hopes to see everyone on Sunday on the beach at 5 pm.

EXECUTIVE SESSION

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

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. 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 Absent Yes Yes Yes Yes

ADJOURNMENT

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

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

Respectfully submitted,

Christine Pfeiffer
Borough Clerk