

**MINUTES
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

JUNE 3, 2015

SEA BRIGHT, NEW JERSEY

Mayor Long called the meeting to order at 7:00 pm and requested those present to join her in the Pledge of Allegiance.

Mayor Long 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 date was changed and Faxed to the Asbury
Park Press and other local newspapers on May 21, 2015. In each instance, the Date,
Time, And Location Of This Meeting Were Provided In The Notice. This Meeting Is Open
To The Public."**

PRESENT: Mayor Dina Long

Councilmember's Peggy Bills, William J. Keeler, Brian P. Kelly
John M. Lamia, Marc A. Leckstein, Charles H. Rooney

OTHERS:

Attorney Patrick J. McNamara, Administrator Joseph L. Verruni,
Borough Engineer Jaclyn J. Flor, Borough 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.

Kathleen Lutter, 174 Ocean Avenue, asked if the Gator's property Ordinance was going to be voted on at tonight's meeting. Councilman Leckstein explained that the Ordinance was never introduced and Ms. Lutter should attend the Planning Board Hearing on June 9th.

Nancy Bedenko, 400 Ocean Avenue, asked if there were storm drains in the newly paved municipal parking lot as she was shocked to see the water gushing out of the parking lot into the street during Sunday's storm - it presents a real safety issue. Borough Engineer Flor explained the drainage design in the lot.

Al Persisto, 174 Ocean Avenue, had two compliments for the Council and the beach clubs; was very pleased to see the parking stops at the beach clubs to prevent the parked cars from hanging over onto Rt. 36/Ocean Avenue; was also very pleased with the condition of the beach - it looks very inviting with palm trees.

Heather Bedenko, 400 Ocean Avenue, reported that next Wednesday, the senior class at Shore Regional will be coming to the Borough for a day of service at the beach. Thanked Joe Verruni, DPW and the Dune Committee for all working together on this. If there are any "adult" supervisors available, please come out.

Jon Schwartz, 24 Longview, spoke about how the Borough could cut things out of the budget - need to say no to some things. Offered to help with the phone bills, electric bills and perhaps putting these services out to bid.

Vince LePore, Long Branch, had a question about the digging up the streets and whether there would be a moratorium - has there been any decision made. Borough Administrator Verruni responded that Council is looking at procedures that NJ Natural Gas can use to restore the road in the best possible way. Also, stated the next Planning Board meeting will discuss the difference between a flat roof vs. gable - would like to hear the difference not just aesthetically but also from an engineering stand point.

John Guarino, 8 E. Church, asked about the status of the seawall construction. Mayor Long responded that we are awaiting word from the DEP regarding a start date. Borough Engineer Flor explained that the DEP is in the process of submitting the plan to FEMA and anticipate an answer within two months. The order of which sections will be repaired has not been determined. The project was delayed in order for the DEP to complete their analysis which resulted in a favorable benefit cost analysis.

Mr. Guarino asked if the engineer was aware of any other possible hurdles that could delay this project. Ms. Flor reported that the DEP does not anticipate any.

EXECUTIVE SESSION

RESOLUTION
EXECUTIVE SESSION

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

WHEREAS, Section 8 of the Open Public Meeting Act, NJSA 10:4-12 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, New Jersey, that they meet in closed session to discuss the issues as herein set forth and when the need for confidentiality no longer exists the decisions made therein will be made available to the public.

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matters to be discussed are as follows:

A. Litigation

3. It is anticipated at this time that the subject matters will be made public, if and when, confidentiality is no longer needed. Action may be taken.

4. This Resolution shall take effect immediately

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

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|------------|--------|---------|--------|--------|------------|--------|
| Roll Call: | Bills, | Keeler, | Kelly, | Lamia, | Leckstein, | Rooney |
| | Yes | Yes | Yes | Yes | Yes | Yes |

Councilmember Bills offered a motion to reconvene the public meeting; seconded by Councilmember Leckstein:

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|------------|--------|---------|--------|--------|------------|--------|
| Roll Call: | Bills, | Keeler, | Kelly, | Lamia, | Leckstein, | Rooney |
| | Yes | Yes | Yes | Yes | Yes | Yes |

CONSENT AGENDA

Councilmember Keeler offered a motion to approve the Minutes listed below on the consent agenda; seconded by Councilmember Leckstein:

Minutes

| | |
|----------------|------------------|
| April 21, 2015 | Regular Meeting |
| May 5, 2015 | Regular Meeting |
| May 14, 2015 | Workshop Meeting |

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| Roll Call: | Bills, | Keeler, | Kelly, | Lamia, | Leckstein, | Rooney |
| | Yes | Yes | Yes | Yes | Yes | Yes |

Resolutions:

No. 102-2015 Accepting Performance Guarantee(s) for Block 17, Lot 4
 1030 Ocean Avenue – 1030 Partners, LLC
RESOLUTION # 102 - 2015
 Accepting Performance Guarantee(s) for
 Block 17, Lot 4 – 1030 Ocean Avenue – 1030 Partners, LLC

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

WHEREAS, the Borough of Sea Bright has approved a development project on Block 17, Lot 4 also known as 1030 Ocean Avenue; and

WHEREAS, T & M Associations prepared a performance guarantee estimate dated May 18, 2015 for 1030 Partners, LLC; and

WHEREAS, 1030 Partners, LLC, posted performance guarantees in the total amount of \$63,870.00, ten percent (10%) (\$6,387.00) of which was cash and deposited with the Borough in accordance with the ordinances of the Borough of Sea Bright and the remaining ninety percent (90%) (\$57,483.00) was in the form of a surety performance bond, and

WHEREAS, 1030 Partners, LLC is required to post eight percent (8%) engineering inspection fees in the amount of \$5,109.60 and the required certificate of insurance.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, that all requirements for entering into a developer’s agreement are hereby waived; and

BE IT FURTHER RESOLVED that the performance guarantees are hereby accepted.

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

- 1. Borough Engineer
- 2. Construction Official
- 3. Finance Manager
- 4. 1030 Partners, LLC

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| Roll Call: | Bills, | Keeler, | Kelly, | Lamia, | Leckstein, | Rooney |
| | Yes | Yes | Yes | Yes | Yes | Yes |

No. 103-2015 Hiring Volunteer Firefighter - Nicholas Recine
RESOLUTION NO. 103-2015
VOLUNTEER FIREFIGHTER
BOROUGH OF SEA BRIGHT FIRE DEPARTMENT

Councilmember Keeler offered the following resolution for approval; seconded by Councilmember Leckstein:

WHEREAS, the Borough Council of the Borough of Sea Bright has received one (1) application to serve as a volunteer firefighter on the Sea Bright Fire/Rescue Department; and

WHEREAS, the Borough Council hereby approves the successfully completed application as submitted by the following:

- 1. Nicholas Recine

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, hereby approve the appointment to Sea Bright Fire/Rescue Department.

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

- 1. Borough of Sea Bright Fire Chief
- 2. Individual Appointee

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| Roll Call: | Bills, | Keeler, | Kelly, | Lamia, | Leckstein, | Rooney |
| | Yes | Yes | Yes | Yes | Yes | Yes |

No. 104-2015 Authorizing the Installation of Businesses of Sea Bright (BSB) Kiosks

RESOLUTION NO. 104-2015
AUTHORIZING THE INSTALLATION OF BSB KIOSKS
BOROUGH OF SEA BRIGHT

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

WHEREAS, the Governing Body of the Borough of Sea Bright approved Resolution No. 152-2009 at their Regular Council Meeting of June 16, 2009, granting permission to the Sea Bright Business Alliance to install four kiosks on Sea Bright property located near the entrances to the public beach, and

WHEREAS, as a result of Super Storm Sandy on October 29, 2012, the four kiosks were destroyed, and

WHEREAS, the Businesses of Sea Bright (BSB) request authorization from the Governing Body of the Borough of Sea Bright for the installation of new kiosks on Sea Bright public property for the purpose of containing visitor information, including the location of BSB members' businesses and a description of their products/services, and

WHEREAS, the proposed sites of the kiosks will be at the Municipal Beach, located in the area near the temporary restrooms, at the Anchorage Beach, located near the entrance and in front of Borough Hall at 1167 Ocean Avenue; the size of the kiosks shall be no larger than 48" X 72," and

WHEREAS, the Businesses of Sea Bright assume the responsibility of installing and maintaining the kiosks without cost or burden to the Borough of Sea Bright, and

FURTHERMORE, the kiosks shall not impede pedestrian traffic or emergency vehicles nor interfere with the dunes.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council hereby grant permission to the Businesses of Sea Bright for the installation of the kiosks, and

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

1. Businesses of Sea Bright
2. Beach Manager
3. Chief of Police
4. Sea Bright - DPW

Roll Call: Bills, Keeler, Kelly, Lamia, Leckstein, Rooney
Yes Yes Yes Yes Yes Yes

No. 105-2015 Consideration of Award of Contract
Demolition of Police and Fire Department Buildings

RESOLUTION No. 105-2015
Consideration of Award of Contract
Demolition of Police and Fire Department Buildings

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

WHEREAS, on April 7, 2015 the Mayor and Borough Council authorized the receipt of bids for the Demolition of the Police Department and Fire Department Buildings; and

WHEREAS, the Borough Clerk did duly advertise on April 25, 2015 to receive bids on May 13, 2015 for the Demolition of the Police Department and Fire Department Buildings; and

WHEREAS, in connection therewith, nine (9) bids were received by the Borough Clerk; and

WHEREAS, the Borough Council approved Resolution 98-2015 rejecting all bids received due to bid specification discrepancies and authorizing the Borough Clerk to re-advertise for bids; and

WHEREAS, the Borough Clerk did duly re-advertise on May 22, 2015 to receive bids on June 3, 2015 for the Demolition of the Police Department and Fire Department Buildings; and

WHEREAS, in connection therewith, four (4) bids were received by the Borough Clerk on June 3, 2015 from the following: 1) Titan Demolition & Salvage, LLC, Woodbridge, NJ for \$38,745.00; 2) Sakoutis Brothers Disposal, Inc. for \$41,302.00; 3) Frank Lurch Demolition Co. LLC for \$47,000.00; 4) Wild Heart Industries LLC for \$79,000.00; and

WHEREAS, it was determined that the lowest responsible bidder meeting specifications for this bid was Titan Demolition & Salvage, LLC, 35 Cutters Dock Road, Woodbridge, New Jersey; and

WHEREAS, the Borough Attorney recommended that a contract be awarded to Titan Demolition & Salvage, LLC, Woodbridge, New Jersey, as per their bid proposal for the Demolition of the Police Department and Fire Department Buildings.

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 \$38,745.00 will be available in Special Emergency for the purpose stated herein.


MICHAEL J. BASCOM, CFO

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, that the bid proposal for the Demolition of the Police and Fire Department Buildings be awarded as set forth in the bid submitted by Titan Demolition & Salvage, LLC, 35 Cutters Dock Road, Woodbridge, New Jersey, in the amount of \$38,745.00; and

BE IT FURTHER RESOLVED that a notice of this action shall be printed one time in the "Asbury Park Press" newspaper; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to return all bid bonds and/or certified checks received from unsuccessful bidders; and

BE IT FURTHER RESOLVED that this award of contract is conditioned upon delivery and execution thereof within sixty (60) days from the date of the within resolution accompanied by such appropriate insurance certificate, affirmative action certificate and performance bonds as may be required by the specifications; and

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

- 1. Titan Demolition & Salvage, LLC
- 2. Administrative Fire Chief
- 3. Police Chief
- 4. Public Works Director
- 5. Finance Manager

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| Roll Call: | Bills, | Keeler, | Kelly, | Lamia, | Leckstein, | Rooney |
| | Yes | Yes | Yes | Yes | Yes | Yes |

ORDINANCE(s):

Mayor Long to read the ordinance by title:

ORDINANCE #06-2015
CHAPTER 144 ENTITLED
"REGULATION OF NOISE NUISANCES",
CODE OF THE BOROUGH OF SEA BRIGHT, 1998

Councilmember Leckstein offered a motion to table Ordinance No. 06-2015; seconded by Councilmember Kelly;

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| Roll Call: | Bills, | Keeler, | Kelly, | Lamia, | Leckstein, | Rooney |
| | Yes | Yes | Yes | Yes | Yes | Yes |

INDIVIDUAL ACTION/New Business:

Vouchers: \$ 293,338.04

Councilmember Keeler offered a motion to approve the Voucher List dated June 3, 2015 as submitted by the Finance Manager, seconded by Councilmember Leckstein:

**VOUCHER LIST
June 3, 2015
Borough of Sea Bright**

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|---------------|---|--|---------------------|
| 01546 | C.I.T. TECHNOLOGY FIN SERV, INC | | |
| 15-00034 | 01/22/15 POLICE DEPT-2015 COPIER LEASE | | 157.00 |
| 01992 | DOGS AND CATS, INC. | | |
| 15-00446 | 04/28/15 BEACH-ONE YEAR LEASE:OFFICE | | 1,333.33 |
| 01043 | JERSEY PROFESSIONAL | | |
| 15-00549 | 06/03/15 ACTING ADMINISTRATOR SERVICES ICES | | 5,695.00 |
| 15-00550 | 06/03/15 ACTING DEPUTY CLERK SERVICES ICES | | 8,606.25 |
| 00137 | MUNICIPAL CAPITAL CORPORATION | | |
| 15-00032 | 01/22/15 A&E-2015 COPIER LEASE | | 224.73 |
| 01309 | OCEANPORT BOARD OF EDUCATION | | |
| 15-00428 | 04/23/15 GRADE SCHOOL TAX - JUN 2015 | | 46,985.25 |
| 00053 | SHORE REGIONAL HIGH SCHOOL | | |
| 15-00547 | 06/03/15 HIGH SCHOOL TAX - JUNE 2015 015 | | 226,581.25 |
| 00077 | WEX BANK | | |
| 15-00551 | 06/03/15 GASOLINE - MAY 2015 | | 3,755.23 |
| TOTAL: | | | \$293,338.04 |

Roll Call: Bills, Keeler, Kelly, Lamia, Leckstein, Rooney
 Yes Yes Yes Yes Yes Yes

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.

Linda Lamia, 2 Village Road, asked if there has been any discussion on expanding the hours of the Administrator to full time and possibly taking on a student to mentor who could eventually take over the position. Mayor Long responded that this type of discussion would take place within the Personnel Committee and asked the Committee to make a recommendation to Council. Also asked if there was progress in regards to municipal software and sustainable technology to improve efficiency such as payroll and personnel management, building permits, etc.

Vince LePore, Long Branch, asked if the necessary easements for the seawall project would be temporary or permanent? Mayor Long thanked Mr. LePore for bringing this issue to Council's attention to look in to.

Jon Schwartz, 24 Longview, inquired about the Jersey Professional bills on the Voucher list.

Heather Bedenko, 400 Ocean Avenue, mentioned the volleyball nets should be moved a little further away from the dunes to prevent trampling. Asked where we stand with the Army Corp of Engineers and their assessment of the loss of sand in the 300 block. Mayor Long responded that they are monitoring and studying what is causing the problem - no action has been proposed to date. Ms. Bedenko, thanked Joe for all his work, but urged Council to start a search and training to ensure we have a skilled, educated replacement who can do the job properly and a smooth transition when Mr. Verruni leaves.

Councilman Rooney said Joe's knowledge of what is going on in this town is tremendous and he is doing a great service to the Borough.

ADJOURNMENT

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

Roll Call: Bills, Keeler, Kelly, Lamia, Leckstein, Rooney
Yes Yes Yes Yes Yes Yes

Respectfully submitted,

Christine Pfeiffer
Borough Clerk