

**APPROVED MINUTES OF THE
REGULAR MEETING OF THE SEA BRIGHT PLANNING/ZONING BOARD
TUESDAY, February 11, 2020**

ADMINISTRATIVE MATTERS

Call to Order

Vice Chairman DeSio called the meeting to order at 7:30 p.m. and requested those present to join in the Pledge of Allegiance.

Chairman's Opening Statement

Vice Chairman DeSio read the following Compliance Statement:

The Borough of Sea Bright, in compliance with the Open Public Meetings Act, has provided the time, date, and location of this meeting to at least two designated newspapers, published same in the Asbury Park Press, the official newspaper, filed notice with the Borough Clerk, and posted notice on the Borough website and in the Borough Office.

2020 Oath Appointments

Attorney Higgins administered the following Oath Appointments:

1 Year Term Class II

Elizabeth DeGiulio January 1, 2020-December 31, 2020

Unexpired 2 Year Term Class IV- Alternate #1

Peggy Bills January 1, 2020-December 31, 2020

Attendance Roll Call

Present: DeGiulio, DeSio, Leckstein, McGinley, Smith, Bills, Wray, Gorman

Not Present: Cashmore, Cunningham, Kelly, Nott

Also in attendance: Board Attorney Kerry E. Higgins, Esq.
Board Secretary Candace B. Mitchell

Approval of 1/7/20 Minutes

Councilman Leckstein offered a motion to approve the minutes.

A second was offered by Mr. Smith, and the motion was adopted on the following roll call vote of eligible members:

Roll Call:

Ayes: DeSio, Leckstein, McGinley, Smith, Wray, Gorman

Nays: none

Abstain: DeGiulio, Bills

Absent: Cashmore, Cunningham, Kelly, Nott

ITEMS OF BUSINESS

Memorialization of Resolution

RESOLUTION NO. PBZB 2020-01

AWARD OF A FAIR AND OPEN CONTRACT

**PLANNING/ZONING BOARD ATTORNEY, KERRY E. HIGGINS, ESQ.,
MCKENNA, DUPONT, HIGGINS & STONE, ATTORNEYS AT LAW**

WHEREAS, the Borough of Sea Bright has a need to acquire professional services of a Planning/Zoning Board Attorney as a fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5 as appropriate*; and,

WHEREAS, a request for proposals for Planning/Zoning Board Attorney was advertised in the Asbury Park Press to be received on December 4, 2019; and,

WHEREAS, *Kerry E. Higgins, Esq.* has submitted a proposal dated November 5, 2019, which is on file in the Planning/Zoning Board Office; and,

WHEREAS, the proposal submitted by *Kerry E. Higgins, Esq.* of Red Bank, New Jersey is being considered for the term of one year (January 1, 2020 - December 31, 2020); and

WHEREAS, *Kerry E. Higgins, Esq.* has completed and submitted a Business Entity Disclosure Certification which certifies that *Kerry E. Higgins, Esq.* has not made any reportable contributions that would bar award of this contract pursuant to *N.J.S.A. 19:44A-1* and *PL 2004, c.19* to a political or candidate committee in the Borough of Sea Bright in the previous one year, and that the contract will prohibit *Kerry E. Higgins, Esq.* from making any reportable contributions through the term of the contract; and

WHEREAS, *Michael J. Bascom*, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available in other Professional Services/Planning Board and other expense appropriations for the purpose stated herein.

NOW THEREFORE, BE IT RESOLVED that the Planning/Zoning Board of the Borough of Sea Bright authorizes the Mayor to enter into a contract with *Kerry E. Higgins, Esq.* as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

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

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

1. CHRISTINE PFEIFFER, BOROUGH CLERK
2. KERRY E. HIGGINS, ESQ., MCKENNA, DUPONT, HIGGINS & STONE, ATTORNEYS AT LAW

Adopted on a roll call on a motion offered by Councilman Leckstein and seconded by Boardmember Smith.

ROLL CALL:

Cashmore-Absent	Cunningham-Absent	DiGiulio-Abstain
DeSio-Yes	Kelly-Absent	Leckstein - Yes
McGinley-Yes	Nott- Absent	Smith-Yes
Bills(Alt. #1)-Abstain	Wray(Alt. #2)-Yes	Gorman(Alt. #3)-Yes

CERTIFICATION

I certify the foregoing to be a true copy of a Resolution by the Sea Bright Planning/Zoning Board memorialized on February 11, 2020.

Candace B. Mitchell

Candace B. Mitchell,
Planning Board Secretary

David DeSio

David DeSio,
Planning Board Vice Chairman

Memorialization of Resolution

RESOLUTION NO. PBZB 2020-02
AWARD OF A FAIR AND OPEN CONTRACT
PLANNING/ZONING BOARD ENGINEER, DAVID J. HODER
HODER ASSOCIATES CONSULTING ENGINEERS

WHEREAS, the Borough of Sea Bright has a need to acquire professional services of a Planning/Zoning Board Engineer as a fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as appropriate; and,

WHEREAS, a request for proposals for Planning/Zoning Board Engineer was advertised in the Asbury Park Press to be received on December 4, 2019; and,

WHEREAS, Hoder Associates Consulting Engineers has submitted a proposal dated November 29, 2019, which is on file in the Planning/Zoning Board Office; and,

WHEREAS, the proposal submitted by Hoder Consulting Engineers of Fair Haven, New Jersey is being considered for the term of one year (January 1, 2020 - December 31, 2020); and

WHEREAS, Hoder Associates Consulting Engineers has completed and submitted a Business Entity Disclosure Certification which certifies that Hoder Associates Consulting Engineers has not made any reportable contributions that would bar award of this contract pursuant to N.J.S.A. 19:44A-1 and PL 2004, c.19 to a political or candidate committee in the Borough of Sea Bright in the previous one year, and that the contract will prohibit Hoder Associates Consulting Engineers from making any reportable contributions through the term of the contract; and

WHEREAS, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available in other Professional Services/Planning Board and other expense appropriations for the purpose stated herein.

NOW THEREFORE, BE IT RESOLVED that the Planning/Zoning Board of the Borough of Sea Bright authorizes the Mayor to enter into a contract with *Hoder Associates Consulting Engineers* as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

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

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

1. CHRIS PFEIFFER, BOROUGH CLERK
2. DAVID HODER, HODER ASSOCIATES CONSULTING ENGINEERS

Adopted on a roll call on a motion offered by Councilman Leckstein and seconded by Boardmember Smith.

ROLL CALL:

Cashmore-Absent	Cunningham-Absent	DiGiulio-Abstain
DeSio-Yes	Kelly-Absent	Leckstein - Yes
McGinley-Yes	Nott- Absent	Smith-Yes
Bills(Alt. #1)-Abstain	Wray(Alt. #2)-Yes	Gorman(Alt. #3)-Yes

CERTIFICATION

I certify the foregoing to be a true copy of a Resolution by the Sea Bright Planning/Zoning Board memorialized on February 11, 2020.

Candace B. Mitchell

Candace B. Mitchell,
Planning Board Secretary

David DeSio

David DeSio,
Planning Board Vice Chairman

Memorialization of Resolution

RESOLUTION NO. PBZB 2020-03
AWARD OF A FAIR AND OPEN CONTRACT
PLANNING/ZONING PROFESSIONAL PLANNER,
CHRISTINE A. NAZZARO-COFONE, COFONE CONSULTING GROUP, LLC

WHEREAS, the Borough of Sea Bright has a need to acquire professional services of a Planning/Zoning Board Professional Planner as a fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5 as appropriate*; and,

WHEREAS, a request for proposals for Planning/Zoning Board Professional Planner was advertised in the Asbury Park Press to be received on December 4, 2019; and,

WHEREAS, *Christine A. Nazzaro-Cofone, Cofone Consulting Group, LLC* has submitted a proposal dated December 4, 2019, which is on file in the Planning/Zoning Board Office; and,

WHEREAS, the proposal submitted by Cofone Consulting Group, LLC of Red Bank, New Jersey is being considered for the term of one year (January 1, 2020 - December 31, 2020); and

WHEREAS, Cofone Consulting Group, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Cofone Consulting Group, LLC has not made any reportable contributions that would bar award of this contract pursuant to N.J.S.A. 19:44A-1 and PL 2004, c.19 to a political or candidate committee in the Borough of Sea Bright in the previous one year, and that the contract will prohibit Cofone Consulting Group, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available in other Professional Services/Planning Board and other expense appropriations for the purpose stated herein.

NOW THEREFORE, BE IT RESOLVED that the Planning/Zoning Board of the Borough of Sea Bright authorizes the Mayor to enter into a contract with **Cofone Consulting Group, LLC** as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

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

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

1. CHRIS PFEIFFER, BOROUGH CLERK
2. CHRISTINE A. NAZZARO-COFONE,
COFONE CONSULTING GROUP, LLC

Adopted on a roll call on a motion offered by Councilman Leckstein and seconded by Boardmember Smith.

ROLL CALL:

Cashmore-Absent	Cunningham-Absent	DiGiulio-Abstain
DeSio-Yes	Kelly-Absent	Leckstein - Yes
McGinley-Yes	Nott- Absent	Smith-Yes
Bills(Alt. #1)-Abstain	Wray(Alt. #2)-Yes	Gorman(Alt. #3)-Yes

CERTIFICATION

I certify the foregoing to be a true copy of a Resolution by the Sea Bright Planning/Zoning Board memorialized on February 11, 2020.

Candace B. Mitchell

Candace B. Mitchell,
Planning Board Secretary

David DeSio

David DeSio,
Planning Board Vice Chairman

Memorialization of Resolution

**Resolution PBZB No. 2020-04
Borough of Sea Bright
Planning/Zoning Board Resolution
Appointing Board Secretary**

BE IT RESOLVED by the Borough of Sea Bright Planning/Zoning Board of the Borough of Sea Bright that **Candace B. Mitchell** be appointed Secretary of the Planning/Zoning Board for the term from January 1 through December 31, 2020.

Adopted on a roll call on a motion offered by Councilman Leckstein and seconded by Boardmember Smith.

ROLL CALL:

Cashmore-Absent Cunningham-Absent DiGiulio-Abstain
DeSio-Yes Kelly-Absent Leckstein - Yes
McGinley-Yes Nott- Absent Smith-Yes
Bills(Alt. #1)-Abstain Wray(Alt. #2)-Yes Gorman(Alt. #3)-Yes

CERTIFICATION

I certify the foregoing to be a true copy of a Resolution by the Sea Bright Planning/Zoning Board memorialized on February 11, 2020.

Candace B. Mitchell
Candace B. Mitchell,
Planning Board Secretary

David DeSio
David DeSio,
Planning Board Vice Chairman

Memorialization of Resolution

**RESOLUTION NO. PBZB 2020-05
APPROVING 2020 MEETING SCHEDULE OF
THE UNIFIED PLANNING BOARD, BOROUGH OF SEA BRIGHT**

2020 ANNUAL SCHEDULE NOTICE

The dates, as set forth below, comprise the **Annual Unified Planning Board Schedule Notice** of regular meetings which will be held at **7:30 P.M.** prevailing time, in the Sea Bright Beach Pavilion, third floor meeting room, located at 1097 Ocean Avenue, Sea Bright, New Jersey:

Meetings will be held on the following Tuesdays:

January	7 and 28
February	11 and 25
March	10 and 24
April	14 and 28
May	12 and 26
June	9
July	14
August	25
September	8 and 22
October	13 and 27
November	10
December	8

Reorganization Meeting January 12, 2021

Workshops (if necessary) will be held prior to the first meeting of each month and will start at 7:00 p.m.

Action will not be taken at workshop meetings.

Interested persons should check with the Unified Planning Board Secretary or Borough website.

Councilman Leckstein introduced and offered the following Resolution for adoption;

Seconded by Boardmember Smith and adopted on the following roll call vote:

ROLL CALL:

Cashmore-Absent	Cunningham-Absent	DiGiulio-Abstain	DeSio-Yes
Kelly-Absent	Leckstein – Yes	McGinley-Yes	Nott- Absent
Smith-Yes	Bills(Alt. #1)-Abstain	Wray(Alt. #2)-Yes	Gorman(Alt. #3)-Yes

CERTIFICATION

I certify the foregoing to be a true copy of a Resolution by the Sea Bright Planning/Zoning Board memorialized on February 11, 2020.

Candace B. Mitchell
Candace B. Mitchell,
Planning Board Secretary

David DeSio
David DeSio,
Planning Board Vice Chairman

Memorialization of Resolution

**RESOLUTION OF THE SEA BRIGHT PLANNING BOARD/ZONING BOARD
GRANTING EXTENSION OF CONDITIONS OF APPROVAL FOR PRELIMINARY AND FINAL MAJOR
SUBDIVISION APPROVAL AND WAIVERS
RIVER STREET REALTY, LLC
Block 15, lot 4
4 River Street**

WHEREAS, by Resolution memorialized June 11, 2019, the Sea Bright Unified Planning Board previously granted major subdivision approval with conditions for certain real property designated as Block 15, Lot 4 on the Borough of Sea Bright Tax Map; and

WHEREAS, the Resolution of approval set forth certain conditions and timelines as a condition of approval, including demolition and removal of the existing structure; and

WHEREAS, Applicant timely demolished and removed the main structure on the property, however failed to remove other conditions on the property and address all site conditions to the satisfaction of the Borough; and

WHEREAS, after a meeting with the Board engineer and the building officer, the Applicant agreed to additional site work associated with the demolition, including removal of concrete slab throughout the area, removal of all foundation and footings with the exception of foundation within 5' of adjacent property on east side of lot, removal of surface level parking lot, filling and regrading of areas where foundation and footings removed and coverage of lot with crushed stone; and

WHEREAS, due to this additional work, the Applicant has requested a sixty (60) day extension of all deadlines contained in the Resolution of Approval; and

WHEREAS, the Board found that the Applicant has been working toward the removal of all site conditions to the satisfaction of the building officer and Board engineer; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Zoning Board of the Borough of Sea Bright that it hereby grants a sixty (60) day extension for the Applicant to comply with the terms and conditions of the Resolution Granting Preliminary and Final Major Subdivision Approval, which was memorialized on June 11, 2019.

BE IT FURTHER RESOLVED that the sixty (60) day extension shall run from the date of this action, January 7, 2020.

BE IT FURTHER RESOLVED that the Chairman and Board Secretary are hereby authorized to sign any and all documents necessary to effectuate the purpose of this Resolution; and

BE IT FURTHER RESOLVED that the Board Secretary is hereby authorized and directed to cause a certified copy of this Resolution to be sent to the Applicant, the Borough Clerk, the engineer and the zoning officer and to make same available to all other interested parties and, if necessary, to cause notice of this Resolution to be published in the official newspaper at the Applicant's expense.

I certify the foregoing to be a true copy of a Resolution by the Sea Bright Planning/Zoning Board memorialized on February 11, 2020.

Candace B. Mitchell
Candace B. Mitchell, Secretary
Sea Bright Planning/Zoning Board

Adopted on a roll call on a motion by Councilman Leckstein and seconded by Boardmember Wray.

Roll Call:

Cashmore - Absent	Cunningham - Absent	DeGiulio - Abstain
DeSio - Yes	Mayor Kelly - Absent	Councilman Leckstein - Yes
McGinley - Yes	Nott - Absent	Smith - Yes
(Alt. 1) Bills - Abstain	(Alt. 2) Wray - Yes	(Alt. 3) Gorman - Yes

Public Comments

There were no members of the public wishing to speak.

CLOSING MATTERS

Meeting Announcement

There being no other business before the Board, the Vice Chairman made an announcement of the next meeting date, which is February 25, 2020.

Adjournment

The meeting was adjourned at 7:36 p.m. on a motion offered by Councilman Leckstein, seconded by Mr. Smith, and approved upon a unanimous voice vote by the Board members.

Respectfully submitted,


Candace B. Mitchell
Board Secretary