

**MINUTES
SPECIAL MEETING
BOROUGH OF SEA BRIGHT**

JULY 11, 2013

SEA BRIGHT, NEW JERSEY

CALL TO ORDER

A Special Meeting of the Borough Council was held in the Cecil F. Norman Community Center, 1167 Ocean Avenue, Sea Bright, NJ 07760 at 6:30 p.m. Mayor Long called the meeting to order at 6:45 p.m. and requested those present join her in the Pledge of Allegiance to the Flag.

OPENING STATEMENT

Mayor Long read the following 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" (N.J.S.A. 10:4-18), I wish to advise you that the 48 hour notice requirement for this meeting has been met. A copy of the agenda has been forwarded to the Asbury Park Press and the Link News on July 9, 2013 and posted on the bulletin board in the Borough office. This meeting is open to the public. Official action will be taken.

ROLL CALL

Mayor Long called the roll for attendance:

PRESENT: Councilmembers Peggy Bills, William J. Keeler, Brian P. Kelly, Marc A. Leckstein, James A. LoBiondo, C. Read Murphy
Mayor Dina Long

ABSENT: none

ALSO PRESENT: Attorney Patrick McNamara, Chief of Police John Sorrentino, Acting Borough Administrator/Clerk Joseph L. Verruni

Mayor Long introduced Resolution No. 139-2013, explaining that it is a revision of Resolution No. 136-2013, which failed to pass at the July 2, 2013 Regular Council Meeting. Mayor Long read the revised resolution in full.

Councilmember Leckstein clarified the purpose of Resolution No. 139-2013 as a resolution of support that would allow the Borough to move forward to the next level in the process of, perhaps, going forward with this initiative.

Mayor Long introduced Cindy, W. Randazzo, Director, Office of Local Government Assistance, State of New Jersey Department of Environmental Protection. Ms. Randazzo offered an explanation of the New Jersey's Blue Acres Program, whereby NJ DEP is promoting the emergence of open space as part of Hurricane Sandy recovery, giving tidally-flowed communities such as Sea Bright special attention. The state is offering to use funding from its Blue Acres Program to purchase the Anchorage Apartments from its private owners, pay for demolition, and the state would then give the land to the Borough for the purpose of passive recreation. The Borough would be responsible for maintaining the property as open space. Ms. Randazzo discussed some of the benefits to the Borough and to the river system. Creating this open space would help with flooding concerns and would give the Borough an additional public access opportunity. In order for the offer from the state to move forward, Council would first have to approve a resolution in support of the initiative.

A public question and answer period followed Ms. Randazzo's presentation.

REMARKS FROM THE AUDIENCE (limited to 3 minutes)

The Public Comment portions of this meeting allow 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.

1. Barry Barbella, 932 Ocean Avenue, offered comments in opposition to the initiative proposed in Resolution No. 139-2013, stating that the town needs to find ways to increase

revenue and needs to do its due diligence in researching the benefits of the initiative to residents.

2. Jean Kingman, 36 Water View Way, offered comments in favor of the initiative.

3. Francis Kiernan, 999 Ocean Avenue, representing Sea Bright Resource Center, offered comments in favor of the initiative, stating that research supports the benefits of towns adding to their open space land.

4. Regina Guarino, 8 East Church Street, offered comments in favor of the initiative, stating that Church Street would have a beautiful view and an increase in property value.

5. Beatrix Patton, 924 Ocean Avenue, offered comments in opposition to the initiative, asking who will clean up the property.

6. Serena Smith, 1382 Ocean Avenue, offered comments in favor of the initiative, stating that, as an experienced realtor, it has been her experience that open space land increases real property values of neighboring properties. Ms. Smith shared a report she had prepared, which cited several studies regarding the benefits of parks, and she offered many comments in favor of the Borough taking this opportunity to create additional park land, including the economic fact that Sea Bright receives only \$14,537 a year from municipal tax on the Anchorage property, and studies show that the development of parks provides more revenue than developing land for residential use.

7. Mike Chimento, 934 Ocean Avenue, had safety concerns about locating a park on the river, and he shared financial concerns about making the property into open space land rather than developing the re-developing the property. He stated his opinion that Sea Bright already has parks and beaches, and he encouraged the Borough to spend its time recovering from the storm rather than taking on a project like this now.

8. Jean Kingman, 36 Water View Way, is concerned that the Borough is losing its focus on getting back to normal, and she is concerned about the potential cost.

9. Michelle McMullin, Ocean Avenue, offered comments in favor of the initiative, stating that this seems to be a good opportunity for the businesses in town because the park may draw more people into town at times other than May to September.

10. Tim Dillingham, Executive Director of the Mid-Atlantic Chapter of the American Littoral Society based at Ft. Hancock, Sandy Hook, stated that all concerns are valid, but that, typically, open space brings greater value, not a net loss of property value.

11. Mike Walsh, 2 East New Street, asked if Council knows whether the property owner has an existing offer. Mayor Long answered that the owner is here and may offer that information.

12. Francis Kiernan, 999 Ocean Avenue, representing Sea Bright Resource Center, expressed a concern with safety because the park would be located on a busy corner.

13. John Grossarth, 39 Ward Avenue, Rumson, expressed support for the initiative, stating that this offer by the state is a fleeting opportunity. He has looked at studies regarding parks and found that towns with parks are desirable to home buyers. Mr. Grossarth and his group offered to pay the Borough's approximately \$14,000 loss of tax revenue that will be realized if the property is a park, for five years, and his group offered to pay for the cost of landscaping and gardening on the property, a total outlay of \$105,000.00.

14. Barry Barbella, 932 Ocean Avenue, commented on losing the property's tax revenue in the long run and stated that a park located on the river would be more detrimental if safety concerns were ignored.

15. Mike Cantor, 31A Ward Avenue, Rumson, who partnered with Mr. Grossarth, stated his support for the initiative, citing that there are more safety issues concerning rescues in the ocean than with the river, that there are grants available for engineering studies regarding the property, that it is beneficial for the environment for Sea Bright to have more rather than less permeable surface area, and that a park is much more desirable than having store after store on Ocean Avenue.

16. Joan Walsh, 1382 Ocean Avenue, expressed support for the initiative, stating that this is a great opportunity for our town and that open space land increases property values.

17. David De Sio, 822 Ocean Avenue, expressed comments in opposition to the initiative, stating that this is not the right place for a park and that it is possible to build something nice on that land, and stating that residents would rather have apartments built there. Also, our town needs the revenue.

18. Alice Russo, representing herself and her partners who own the property at 960 Ocean Avenue, articulated her understanding of the situation, and stated that it was good to hear everyone’s opinions, though it is premature to think that any decisions have been made. She and her partners could decide to sell to a developer, or they could decide to keep the property and develop it themselves. They do not see a downside to considering the proposal of selling to the state and want to weigh all proposals. She also stated her opinion that parks do enhance property values.

19. Joan Walsh, 1382 Ocean Avenue, offered her opinion that, since the owners do not yet know what they will be doing with the property, the Borough should not make a decision now. Mayor Long asked Ms. Randazzo whether it is necessary at this point for the Borough to pass a resolution, and Ms. Randazzo explained that it is necessary to pass a resolution in order for the state to go forward with making an offer to the property owners. She added that the offer will be at pre-Sandy market value.

20. Mike Cantor, 31A Ward Avenue, Rumson, expressed support for passing the resolution.

21. Barry Barbella, 932 Ocean Avenue, stated that he is in favor of a park, just not in that location, because of safety concerns with that location. He thinks the Borough should pick a different spot for a park.

22. Mike Chimento, 934 Ocean Avenue, expressed concerns with what has been happening in the parking lot at 960 Ocean Avenue, with cars in and out “24/7”. He would like to see the specifics on the hours of the park if the Borough proceeds. Mayor Long stated that there would be no parking allowed on the west side, and that the lot is currently used for overflow parking due to the storm.

At 8:06 pm, Mayor Long called a recess.

At 8:24 pm, Councilmember Murphy made a motion to reopen the public meeting, seconded by Councilmember Kelly.

Roll call:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	Yes	Yes	Yes	Yes

PRESENT: Councilmembers Peggy Bills, William J. Keeler, Brian P. Kelly, Marc A. Leckstein, James A. LoBiondo, C. Read Murphy
Mayor Dina Long

ABSENT: none

ALSO PRESENT: Attorney Patrick McNamara, Chief of Police John Sorrentino, Acting Borough Administrator/Clerk Joseph L. Verruni

INDIVIDUAL ACTION/New Business:

Resolution No. 139-2013

RESOLUTION No. 139-2013

**SUPPORTING, WITH LIMITATIONS AND RESTRICTIONS AS TO CERTAIN USES,
THE ACQUISITION OF 960 OCEAN AVENUE, BLOCK 24, LOT 1.01
BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION
THROUGH ITS GREEN ACRES PROGRAM**

Councilmember Leckstein offered the following resolution for approval as modified; seconded by Councilmember Bills.

WHEREAS, the Borough of Sea Bright has been advised by the State of New Jersey Department of Environmental Protection that it is evaluating 960 Ocean Avenue, which is officially known as Block 24, Lot 1.01 on the tax map of the Borough of Sea Bright, for possible acquisition through the Green Acres Program; and

WHEREAS, the Mayor and Council of the Borough of Sea Bright believe that it would be in the best interests of the Borough of Sea Bright for the property at 960 Ocean Avenue to be acquired by the Department of Environmental Protection, through its Green Acres Program, for utilization as a public park. ~~to be used in conjunction with the public beach access already owned by the Department of Environmental Protection and located directly across Ocean Avenue from the site;~~ and

WHEREAS, the Mayor and Council of the Borough of Sea Bright wishes to express its support and offer its encouragement to the Department of Environmental Protection for undertaking the acquisition of 960 Ocean Avenue and further request that upon such acquisition it be developed as follows:

A) So as to create a landscaped area along Ocean Avenue side of the property. ~~with minimal non-overnight parking facilities, so as to support the public beach access located across Ocean Avenue which is commonly known as the Anchorage.~~

B) So as to create a landscaped river walk, with park benches, so as to allow passive recreation along the Navesink River side of the property.

C) So as to create an adequate landscaped buffer so as to protect the properties located directly to the north of 960 Ocean Avenue from any activity which might take place at the site.

WHEREAS, the Mayor and Council of the Borough of Sea Bright believe that if 960 Ocean Avenue is developed in the fashion described above, the property will become an asset for the Borough as it will ~~help facilitate public use of the Anchorage beach through the creation of a new parking area,~~ allow enjoyment by the public of the Navesink River through the creation of a new river walk so as to allow passive recreation along the Navesink River, and serve as a much improved gateway into the Borough for those entering into the town when crossing over the Rumson-Sea Bright Bridge; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Bright that the Borough Clerk and Administrator is hereby authorized to work with the Department of Environmental Protection toward aiding the Department in its efforts to acquire 960 Ocean Avenue, **provided the Borough be involved in those discussions and have input in those discussions, before a final decision is made.**

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Sea Bright that the Borough Clerk shall forward certified copies of this Resolution to the following:

1. Honorable Bob Martin, Commissioner of the Department of Environmental Protection
2. Michael Buriani, Green Acres Program

Roll call:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	No	Yes	Yes	Yes	Yes

Resolution 139-2013 was approved as modified.

Resolution No. 140-2013

**RESOLUTION NO.140-2013
GRACE PERIOD EXTENSION FOR PAYMENT OF
3RD QUARTER 2013 TAXES**

Councilmember Leckstein introduced and offered for adoption the following Resolution; seconded by Councilmember Murphy.

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 2013/2014; 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 2013 taxes are not paid by the 10th of August; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Sea Bright, County of Monmouth 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 2013 taxes shall be established as the twenty-fifth (25) calendar day 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 by the Mayor and Council of the Borough of Sea Bright that the Borough Clerk shall forward certified copy of this Resolution to the following:

1. Patricia Spahr, Tax Collector

Roll call:	Bills,	Keeler,	Kelly,	Leckstein,	LoBiondo,	Murphy
	Yes	Yes	Yes	Yes	Yes	Yes

Resolution No. 141-2013

RESOLUTION NO.141-2013

Support the continued partnership with Bloustein School of Public Policy and endorse their application for funding through the Geraldine R. Dodge Foundation to continue working with Sea Bright

Councilmember Leckstein introduced and offered for adoption the following Resolution; seconded by Councilmember Kelly.

WHEREAS, the Mayor and Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey authorize the foregoing:

Background

The Spring 2013 Bloustein School's Sea Bright Recovery Studio took stock of past and existing conditions, and proposed a number of possible alternative futures and planning strategies for key areas of the Borough. The studio format did not allow for meaningful direct public engagement to vet and fully flush out these alternative scenarios. Many residents were displaced by the storm and have not yet returned. The studio proposals were well-received, but further, more detailed study is needed, and considerably more public engagement and consultation is required going forward.

The Borough has a variety of other planning efforts underway. A draft Hurricane Sandy Recovery Management Strategy was recently prepared for the Borough by Laurie Johnson Consulting. The Borough has contracted with T&M Consulting to prepare a new Master Plan Re-Examination Report, to comply with the requirements of N.J.S. 44:55D - 89. And FEMA has recently assigned a community planner to develop a Hazard Management Recovery Plan for the Borough.

Scope of Work

In light of the Spring 2013 Studio's work, and the other planning efforts currently underway, the following scope of work is proposed for the Bloustein School's continued planning assistance. This scope of work does not duplicate or interfere with other current or anticipated planning-related efforts in Sea Bright and instead seeks to build upon and leverage work already undertaken by the Bloustein studio and take it to the next level.

1. Develop, with the Borough's input, mixed-use scenario(s) for the Borough-owned parcels East of Ocean Avenue. These scenarios may include a combination of public and private uses and activities, provide public access to the beach, address downtown and beachfront parking issues and adopt building typologies and construction techniques that offer a higher level of resiliency relative to the type of extreme storm events that Sea Bright is vulnerable to.
2. Develop, with the Borough's input, transformation scenario(s) for a portion of a neighborhood characterized by an existing land use pattern of single-family homes on micro-lots (i.e., less than 2,500 square feet). These scenarios would seek to depict the following conditions: (a) a mix of elevated and non-elevated single-family detached structures on existing lots; (b) all elevated single-family detached structures on existing

lots; (c) a mix of elevated single-family detached structures on existing lots and elevated attached single-family or multi-family structures on consolidated lots; and (d) all elevated single-family attached or multi-family structures on consolidated lots.

3. Create high-quality visualizations for the scenarios described in items 1 and 2 above. It should be noted that these visualizations will depict a prototypical set of conditions found in many shore communities in New Jersey, and a variety of future options for their transition to more resilient building typologies. As such, these visualizations will constitute a planning product that can be deployed to facilitate public discussions of rebuilding options in many other communities, not just in Sea Bright.

4. Perform the legal research into land ownership title conditions for relevant portions of the sea wall where title is unclear.

5. Develop an on-line Visual Preference Survey to measure public response to the alternative development and rebuilding scenarios discussed in items 1 – 3 above, and possibly with other targeted urban design alternatives, such as the redesign of Ocean Avenue | Route 36 and/or new public space(s).

6. Attend and facilitate relevant public meetings, workshops and presentations related to this planning assistance.

7. Assist the Borough with the FEMA planning process, as needed and within the available resources.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Sea Bright, County of Monmouth authorizes the Borough Clerk to forward certified copies of this Resolution to the following:

1. Laurie Jonson Consulting
2. T & M Associates
3. Federal Emergency Management Agency (FEMA)

Roll call: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy
Yes Yes Yes Yes Yes Yes

REMARKS FROM THE AUDIENCE (limited to 3 minutes)

The Public Comment portions of this meeting allow 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.

1. A resident from East Church Street inquired about Resolution No, 141-2013. Mayor Long responded that a hard copy was just received today, and that information will be posted on the borough website.

2. A resident inquired about street-sweeper operations. Mayor Long responded.

3. A resident asked about when the borough is going to do something about vacant and unrepared properties. Mayor Long responded.

4. A resident of Ocean Avenue commented that all along the sea wall in North Beach dog waste is not being cleaned up, and it is a health hazard, and that it is disgusting to try and walk in that area. Mayor Long responded.

5. Another resident from also commented about the problem of dog owners not cleaning up pet waste. She stated that people are using her property as a toilet for their dogs. Chief Sorrentino agreed that there is a problem with non-compliance of pet waste clean- up.

6. Heather Bedenko, 400 Ocean Avenue, offered a Sand Days plan update. Mayor Long mentioned that DEP will start with the 700 block to support the project.

EXECUTIVE SESSION: No Executive Session was held.

ADJOURNMENT:

Councilmember Leckstein offered a motion to adjourn, seconded by Councilmember Kelly.

Roll call: Bills, Keeler, Kelly, Leckstein, Lobiondo, Murphy
Yes Yes Yes Yes Yes Yes

Time: 8:45 p.m.

Respectfully Submitted,

Joseph L. Verruni
Acting Administrator/Clerk

JLV/cbm