

**MINUTES  
SPECIAL MEETING  
BOROUGH OF SEA BRIGHT**

**JULY 14, 2016 (Tuesday)**

**SEA BRIGHT, NEW JERSEY**

**Mayor Long** called the meeting to order at 10:45 am.

**Mayor Long** read the following 48 Hour Notice Requirement Compliance Statement:

Good Evening Ladies And Gentlemen,

**48 Hour Notice Requirement:**

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 the 48 hour notice requirement for this meeting has been met. A copy of the agenda was sent to the Asbury Park Press and other local newspapers on June 11, 2016 and posted on the bulletin board in the Borough office. This meeting is open to the public.

**PRESENT:** Mayor Dina Long  
Councilmember's William J. Keeler, Brian P. Kelly, John M. Lamia, Jr,  
Marc A. Leckstein

**ABSENT:** Councilmember's Peggy Bills, Charles H. Rooney III

**OTHERS:** Attorney Roger J. McLaughlin, Administrator Joseph L. Verruni,  
Borough Engineer Francis W. Mullan, 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.

Tom Largey, Beach Way, stated he was not in favor of a special election and feels Council should wait until the general election in November to allow more time to educate the public on the issue.

Marianne McKenzie, 612 Ocean Avenue, stated she thinks Council should rescind the ordinances as the numbers are too high and it would allow them to start working on changes now vs. waiting until after a special election. Ms. McKenzie said that Sea Bright is a very small town and does not need such grand buildings. If Council chooses not to rescind, Ms. McKenzie would suggest the referendum question be on the general election ballot to save money.

Jean Kingman, 36 Waterview Way, said she thinks Council should rescind the ordinances as it will make a statement that they "hear" the resident's concerns and would allow the town to hold meetings to discuss the issues, then a bond can be proposed that most residents will be comfortable with. Ms. Kingman also asked where the funding came from that we have already paid the architect. Mayor Long explained Bond Anticipation Notes which essentially borrow against the future bonding. Ms. Kingman questioned the number of fire houses or municipal buildings the current architect has designed.

Vince Lepore, Long Branch, thinks Council should rescind the ordinances, educate the public and then move forward from there. Mr. Lepore stated his concern about public officials commenting on the municipal buildings on random facebook sites and suggested setting up an official Sea Bright facebook site for authenticated information.

Bob Morrone, 15 Sandpiper Lane, believes Council should rescind the ordinances and should take a serious look at hiring somebody else to take a look at the plans to find ways to reduce the square footage.

Jean Kingman, 36 Waterview Way, commented on the resolution authorizing the Mayor to sign the Management and Use Agreement with the NJDEP for the "Anchorage Properties" listed on the agenda and asked if Council could explain what it is about prior to the vote. Mayor Long and Administrator Verruni explained the agreement is a required document, naming the Borough as the Manager of the property for a period of 20 years. The Borough needs this document in order to apply for grant monies through the Monmouth County Park System.

**RESOLUTIONS:****RESOLUTION No. 112-2016****AUTHORIZING THE BOROUGH OF SEA BRIGHT TO EXECUTE A MANAGEMENT AND USE AGREEMENT WITH THE STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF PARKS AND FORESTRY FOR THE "ANCHORAGE PROPERTIES"**

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

**WHEREAS**, the State Of New Jersey, Department Of Environmental Protection, Division Of Parks And Forestry ("the Department") owns certain property identified as Block 24, Lots 1, 1.01, and 1.02, on the tax map of Sea Bright Borough, Monmouth County (the "River Property") consisting of approximately 1 acre; and

**WHEREAS**, the Department also owns certain property almost directly across Route 36 (a/k/a Ocean Avenue) from the River Property, identified as Block 23, Lot 11 on the tax map of Sea Bright Borough, Monmouth County (the "Ocean Property"), consisting of approximately 2.4 acres; and

**WHEREAS**, the Properties have significant environmental and open space attributes which provide public access to both the Shrewsbury River and the Atlantic Ocean; and

**WHEREAS**, the Department's Division of Parks and Forestry has accepted assignment of the Properties as part of Leonardo State Marina, but the Division does not maintain an adjacent or nearby park; and

**WHEREAS**, the Borough is uniquely suited to assume the administration, management, monitoring and maintenance (collectively "management") responsibilities for the Properties on behalf of the Department and in accordance with all applicable statutes and regulations in effect on or after the date of this Agreement; and

**WHEREAS**, the Department, through its Office of Engineering and Construction, Coastal Engineering Unit entered an agreement with the Borough in 1992 ("1992 Agreement") under which the Borough assumed management of the Ocean Property; and

**WHEREAS**, the Ocean Property has improvements on it such as a parking lot, a bathhouse, and a ticket pavilion or booth, and said improvements have been maintained by the Borough; and

**WHEREAS**, because of the proximity of the River Property to the Ocean Property, the Parties intend that the Borough shall manage the River Property and the Ocean Property under a single management agreement; and

**WHEREAS**, the 1992 Agreement with the Borough to manage the Ocean Property shall be terminated upon execution of this Agreement; and

**WHEREAS**, the Parties are interested in preserving the Properties and are committed to enhancing the Properties for public access and outdoor recreation as set forth in this Agreement; and

**WHEREAS**, the Parties wish to set forth the rights and obligations of each party concerning management of the Properties.

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

1. The 1992 Agreement between the Department's Office of Engineering and Construction, Coastal Engineering Unit, then known as the Department of Environmental Protection and Energy's Division of Engineering and Construction, is hereby revoked pursuant to Paragraph 4 of the 1992 Agreement.
2. The term of this Agreement shall be for twenty (20) years from the date of its execution.
3. During the term of this Agreement, the Borough agrees, at its sole expense, to manage the Properties in accordance with this Agreement and the Interim or Final Management Plan required under this Agreement.
4. The Mayor and Municipal Clerk are hereby authorized and empowered to execute the Management and Use Agreement with the State Of New Jersey, Department Of Environmental Protection, Division Of Parks And Forestry and to effectuate all of the terms and conditions set forth therein and take any and all other actions necessary in connection therewith.

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

- 1. JIF Representative
- 2. Rich Boornazian, Assistant Commissioner, Natural and Historic Resources
- 3. Chief of Police
- 4. CFO

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

**RESOLUTION NO. 122-2016  
 RESOLUTION OF THE BOROUGH OF SEA BRIGHT  
 PROVIDING FOR A REFERENDUM ON BOND  
 ORDINANCES NO. 15-2016, 16-2016 AND 17-2016**

Councilman Keeler stated he would prefer rescinding the three bond ordinances and asked for clarification from the Attorney on the status of the bonds and the projects if the bonds were rescinded. Councilman Keeler said the advantage of rescinding is that Council could start working on a compromise immediately instead of risking losing the vote at the end of September - two months would be lost.

Attorney McLaughlin commented there is a process and a time for public comments and asked the public not to interrupt public officials trying to conduct business.

**Councilmember's Peggy Bills and Charles H. Rooney III joined the meeting telephonically.**

Councilman Kelly reviewed the three options: a) hold a special election on September 27, 2016; b) wait for the general election on November 8, 2016; c) rescind the bonds.

For the benefit of Councilmember's Bills and Rooney who just joined the meeting, Attorney McLaughlin explained the three options were extensively discussed and the sense of the Council determined at the Workshop was that a special election on September 27, 2016 was preferred. As a result, the Attorney recommended the second page of the draft resolution with two of the three options be deleted and the first option on page one be modified in accordance with the sense of the Council from the Workshop to provide for a special election on September 27.

Administrator Verruni reviewed the pros and cons for each option previously discussed by Council. Mayor Long recapped that several members of the public spoke in favor of rescinding the ordinances. Councilman Rooney said he was definitely in favor of having a special election in September and wants to continue moving forward. Councilwoman Bills asked if a Town Hall meeting could be planned prior to the special election to get the information out to all residents.

Councilman Keeler stated for the record that he is in favor of keeping Borough Hall where it is but would want to renovate the building as soon as possible. Whatever the outcome, there are many safety issues that need to be remedied as employees will remain working in the building for at least two years.

Councilmember Leckstein offered the following Resolution and moved its adoption as amended\* below; seconded by Councilmember Kelly:

**WHEREAS**, on June 1, 2016, the Borough Council of the Borough of Sea Bright finally adopted Bond Ordinances No. 15-2016, 16-2016 and 17-2016 entitled:

**Bond Ordinance No. 15-2016**

Bond Ordinance Providing An Appropriation Of \$1,400,000 For Construction Of The Community Center For And By The Borough Of Sea Bright In The County Of Monmouth, New Jersey And, Authorizing The Issuance Of \$332,500 Bonds Or Notes Of The Borough For Financing Part Of The Appropriation.

**Bond Ordinance No. 16-2016**

Bond Ordinance Providing An Appropriation Of \$7,900,000 For Construction Of Municipal Complex For And By The Borough Of Sea Bright In The County Of Monmouth, New Jersey And, Authorizing The Issuance Of \$3,942,500 Bonds Or Notes Of The Borough For Financing Part Of The Appropriation.

**Bond Ordinance No. 17-2016**

Bond Ordinance Providing An Appropriation Of \$3,600,000 For Construction Of Building For The Beach Utility For And By The Borough Of Sea Bright In The County Of Monmouth, New Jersey And, Authorizing The Issuance Of \$1,486,750 Bonds Or Notes Of The Borough For Financing Part Of The Appropriation.

**WHEREAS**, the Ordinances would establish funding for the construction of a Community Center and Municipal Complex in the Borough of Sea Bright; and

**WHEREAS**, on June 24, 2016, the Borough received petitions requesting that the aforementioned ordinances be put to referendum; and

**WHEREAS**, in accordance with N.J.S.A. 40:49-27, the petitions were reviewed by the Borough Clerk, certified and presented to the Mayor and Borough Council; and

**WHEREAS**, to ascertain the sentiment of the legal voters of the Borough, N.J.S.A. 40:49-10 provides that a referendum shall be held at the next general election occurring at least thirty days after the filing of the petitions, or, at the option of the governing body, at a special election called for that purpose; and

**WHEREAS**, the governing body may also choose to repeal said bond ordinances;

**\*NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the propositions pertaining to the aforesaid Bond Ordinances shall be submitted to the voters at a special election to be conducted on Tuesday, September 27, 2016 and the Clerk is hereby authorized to coordinate the necessary efforts with the Monmouth County Clerk, the Monmouth County Commissioner of Registration and the Monmouth County Board of Elections.

Roll Call: Bills, Keeler, Kelly, Lamia, Leckstein, Rooney  
Yes Yes Yes No Yes Yes

**Mayor Long announced that the Borough will be holding a Special Election on September 27, 2016. There will be a Town Hall meeting and two additional information meetings scheduled prior to the election.**

**ADJOURNMENT:**

Councilmember Leckstein offered a motion to Adjourn the Special meeting and return to the Workshop meeting; second by Councilmember Keeler:

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

Respectfully submitted,

Christine Pfeiffer  
Borough Clerk