

**AGENDA
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

JUNE 5, 2017

SEA BRIGHT, NEW JERSEY

CALL MEETING TO ORDER: 7:00pm

PLEDGE OF ALLEGIANCE

COMPLIANCE STATEMENT (N.J.S.A. 10:4-18)

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 November 15, 2016. In each instance, the Date, Time, And Location Of This Meeting Were Provided In The Notice. This Meeting Is Open To The Public."

ROLL CALL:

Councilmember (s) BIRDSALL____ KEELER____ KELLY____ LAMIA____
LECKSTEIN____ ROONEY____
Mayor LONG _____

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.

CONSENT AGENDA

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

Minutes

5-11-2017	Workshop Meeting
5-11-2017	Executive Session
5-16-2017	Regular Meeting
5-16-2017	Executive Session
5-24-2017	Special Workshop Meeting
5-24-2017	Executive Session

Resolutions:

No. 103-2017	Authorizing the Submission of the Municipal Public Access Plan to the NJDEP (Carried from 5/16/17 regular meeting)
No. 105-2017	Renewal Of The Alcoholic Beverage License Of D. Lobi Enterprise, T/A Surfriider Beach Club For The 2017-2018 License Term
No. 106-2017	Renewal Of The 2017 -2018 Liquor Licenses For Those Licensees Who Have Met All Borough And State Requirements And Paid All Applicable Fees

- No. 107-2017** Approving Volunteer Firefighter - Jacob Burns
- No. 108-2017** Authorizing Display of Fireworks at Sands Beach Club - June 27, 2017
- No. 109-2017** Authorizing Display of Fireworks at Chapel Beach Club - July 1, 2017

Roll Call: Birdsall___ Keeler___ Kelly___ Lamia___ Leckstein ___ Rooney___

ORDINANCE(s):

Public Hearing: Mayor Long to read the ordinance by title:

ORDINANCE NO. 12-2017
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 66 "BEACHES",
ARTICLE V, ENTITLED BEACH REGULATIONS, OF THE
CODE OF THE BOROUGH OF SEA BRIGHT, 1998

Councilmember _____ offered a motion to open the public hearing on Ordinance No. 12-2017, seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Lamia___ Leckstein ___ Rooney___

Public Hearing (Ord. 12-2017)

Councilmember _____ offered a motion to close the public hearing on Ordinance No. 12-2017, seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Lamia___ Leckstein ___ Rooney___

Councilmember _____ offered a motion to adopt Ordinance No. 12-2017 and advertise according to law, seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Lamia___ Leckstein ___ Rooney___

INDIVIDUAL ACTION/New Business:

Vouchers: \$79,080.77

Councilmember _____ offered a motion to approve the Voucher List dated June 5, 2017 as submitted by the Finance Manager, seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Lamia___ Leckstein ___ Rooney___

EXECUTIVE SESSION

Councilmember _____ offered a motion to enter into Closed Session;
seconded by Councilmember _____

Resolution to discuss: Litigation

Roll Call: Birdsall___ Keeler___ Kelly___ Lamia___ Leckstein ___ Rooney___

ADJOURNMENT

Councilmember _____ offered a motion to adjourn the meeting; seconded
by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Lamia___ Leckstein ___ Rooney___

RESOLUTION No. 103-2017
AUTHORIZING THE SUBMISSION OF THE
MUNICIPAL PUBLIC ACCESS PLAN TO THE NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Councilmember _____ introduced and offered the following resolution for approval;
seconded by Councilmember _____ :

WHEREAS, the New Jersey Department of Environmental Protection's (NJDEP) General Permit, which allows the Borough to conduct routine beach and dune maintenance activities on oceanfront beaches, expires on June 30, 2017; and

WHEREAS, in order for the Borough of Sea Bright to renew the NJDEP General Permit for beach and dune maintenance activities, the Borough must have a NJDEP approved Municipal Public Access Plan (MPAP); and

WHEREAS, the NJDEP Office of Coastal and Land Use Planning Department (OCLUP) has assisted Borough officials to develop a new Municipal Public Access Plan; and

WHEREAS, the governing body reviewed the plan and would like to submit the MPAP to the New Jersey Department of Environmental Protection OCLUP for approval; and

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Sea Bright, County of Monmouth, State of New Jersey, hereby authorize the Borough Clerk to submit the Municipal Public Access Plan to the New Jersey Department of Environmental Protection, Office of Coastal and Land Use Planning for approval; and

BE IT FURTHER RESOLVED, the approved MPAP shall be forwarded to the Sea Bright Planning Board to be incorporated into the municipal master plan; and

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

1. Borough Administrator
2. New Jersey Division of Fish and Wildlife
3. Monmouth County Planning Board

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney

June 5, 2017

CERTIFICATION

I, Christine Pfeiffer, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on June 5, 2017.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 105-2017

**RENEWAL OF THE ALCOHOLIC BEVERAGE LICENSE OF D. LOBI ENTERPRISE,
t/a SURFRIDER BEACH CLUB FOR THE 2017-2018 LICENSE TERM**

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

WHEREAS, the D. Lobi Enterprise t/a Surfrider Beach Club has submitted a complete application form for the renewal of alcoholic beverage license no. 1343-33-003-004 and has paid the annual fees to both the Borough of Sea Bright and the State of New Jersey, Division of ABC; and

WHEREAS, the Borough Council has received and reviewed the recommendations of the Police Department pertaining to the aforesaid alcoholic beverage license; and

WHEREAS, the Borough Council finds that the aforesaid license should be renewed only upon a special condition necessary to ensure the public health, safety and welfare;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that license number 1343-33-003-004 held by D. Lobi Enterprise, t/a Surfrider Beach Club be and is hereby renewed for the annual license term commencing July 1, 2017 based upon the following special condition:

"No sale, service or consumption of any alcoholic beverage shall be permitted in the parking lot areas of the property. The parking lot areas of the property are not to be considered as part of the licensed premises."

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to the following:

1. Chief of Police
2. Fiscal Officer
3. Division of Alcoholic Beverage Control

Roll Call: Birdsall, Keeler, Keeler, Lamia, Leckstein, Rooney

June 5, 2017

CERTIFICATION

I, Christine Pfeiffer, Borough Clerk, do hereby certify that the foregoing is a Resolution adopted by the Borough of Sea Bright, County of Monmouth, State of New Jersey at a Council Meeting held June 5, 2017.

Christine Pfeiffer, Borough Clerk

WHEREAS, the Alcoholic Beverage Licensee Retail Tax Clearance Certificate pursuant to Chapter 161, Laws of NJ 1995 has been granted by the Division of Taxation.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that authorization is hereby given to renew, effective July 1, 2017, the aforesaid liquor licenses for the license term 2017-2018; and

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

1. Chief of Police
2. Fiscal Officer
3. Division of Alcoholic Beverage Control

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney

June 5, 2017

CERTIFICATION

I, Christine Pfeiffer, Borough Clerk, do hereby certify that the foregoing is a Resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on June 5, 2017.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 108-2017
AUTHORIZING DISPLAY OF FIREWORKS
AT SANDS BEACH CLUB- JUNE 27, 2017

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

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, Sands Beach Club, 825 Ocean Avenue (Block 23; Lot 13) has submitted an application to the Special Events Committee of the Borough of Sea Bright requesting permission for a display of fireworks at Sands Beach Club on June 27, 2017 with rain date(s) of June 28 or 29, 2017; 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 and the US Fish and Wildlife Service; and

WHEREAS, such display 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, that the display of fireworks is hereby authorized to be held on June 27, 2017 with rain date(s) of June 28 or 29, 2017 at Sands Beach Club pending the approval of the above mentioned officials; 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. Sands Beach Club
2. Fire Official
3. Borough Police Chief
4. Special Events Committee
5. U.S. Fish and Wildlife Services

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney

June 5, 2017

CERTIFICATION

I, Christine Pfeiffer, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on June 5, 2017.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 109-2017
AUTHORIZING DISPLAY OF FIREWORKS
AT CHAPEL BEACH CLUB- JULY 1, 2017

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

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, Chapel Beach Club, 1023 Ocean Avenue (Block 23; Lot 3) has submitted an application to the Special Events Committee of the Borough of Sea Bright requesting permission for a display of fireworks at Chapel Beach Club on July 1, 2017 with rain date of July 2, 2017; 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 and the US Fish and Wildlife Service; and

WHEREAS, such display 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, that the display of fireworks is hereby authorized to be held on July 1, 2017 with rain date of July 2, 2017 at Chapel Beach Club pending the approval of the above mentioned officials; 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. Chapel Beach Club
2. Fire Official
3. Borough Police Chief
4. Special Events Committee
5. U.S. Fish and Wildlife Services

Roll Call: Birdsall, Keeler, Kelly, Lamia, Leckstein, Rooney

June 5, 2017

CERTIFICATION

I, Christine Pfeiffer, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on June 5, 2017.

Christine Pfeiffer, Borough Clerk

ORDINANCE NO. 12-2017
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 66
"BEACHES", ARTICLE V, ENTITLED BEACH REGULATIONS, OF THE
CODE OF THE BOROUGH OF SEA BRIGHT, 1998

BE IT ORDAINED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey that Chapter 66 entitled "Beaches", Article V, Beach Regulations, of the "Code of the Borough of Sea Bright, 1998", be and the same is hereby amended and supplemented in the following manner:

SECTION I

CHAPTER 66 "BEACHES"

Article V, Beach Regulations, Section 66-22. Controlled activities on supervised and unsupervised beaches, G. Animals is hereby amended to include the following to the schedule, with all other sections not listed to remain the same.

G. Animals

(1) In conjunction with the Beach Management Plan (2015), the Borough will permit dogs, cats and other animals on the Municipal Public Beach from the day after Labor Day until **May 15th**.

(2) **Delete (The Borough prohibits dogs, cats and any other animals (except service animals) on all beaches from the Saturday of Memorial Day weekend through Labor Day.)**

(3) Additionally, in conjunction with the Beach Management Plan (2015) and due to the nesting areas of Piping Plovers and other endangered species, the Borough prohibits dogs, cats and any other animals (except service animals) from **March 15th** through Labor Day in the following areas: North Beach (north from Ship Ahoy Beach Club to the public access stairway at Via Ripa) and South Beach (from the Monmouth Beach/Sea Bright border to the Driftwood Beach Club). These additional areas shall be modified by signage or fencing when and if the endangered species expand or decrease their habitat.

SECTION TWO: All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies

SECTION THREE: 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 FOUR: This Ordinance shall take effect immediately upon its passage and publication according to law and upon filing with the Monmouth County Planning Board.

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 May 16, 2017 and will be further considered after a Public Hearing held on June 5, 2017 at the Municipal Building at 7:00 pm.

INTRODUCED: May 16, 2017
PUBLIC HEARING: June 5, 2017
ADOPTED:

Witness

BOROUGH OF SEA BRIGHT,

CHRISTINE PFEIFFER, CLERK

DINA LONG, MAYOR

**VOUCHER LIST
JUNE 5, 2017
BOROUGH OF SEA BRIGHT**

02260	ADT SECURITY SERVICES 17-00669 06/01/17 LIBRARY	Open	25.50
01984	AVAYA FINANCIAL SERVICES 17-00671 06/01/17 POLICE	Open	145.29
02036	BAHRLE, DAVID 17-00643 05/22/17 SEWER	Open	52.60
00230	CERTIFIED SPEEDOMETER 17-00580 05/08/17 POLICE	Open	152.00
2412	CIOFFI, GREGORY 17-00634 05/19/17 BEACH	Open	250.00
00198	COMCAST 17-00683 06/02/17 INTERNET	Open	727.59
2390	COSTA, VALERIA 17-00676 06/01/17 BUILDINGS & GROUNDS	Open	600.00
2386	CRANEY INTERPRETING SERVICE 17-00682 06/02/17 COURT	Open	415.00
00506	FARMER, JANE 17-00675 06/01/17 LIBRARY	Open	220.00
01288	FISLER, CHRISTOPHER 17-00626 05/16/17 POLICE	Open	138.00
00575	GALLS, INC. 17-00091 01/23/17 CLOTHING ALLOWANCE	Open	73.64
	17-00578 05/08/17 CLOTHING ALLOWANCE	Open	103.04
			----- 176.68
02101	GANNETT NJ 17-00650 05/23/17 LEGAL ADS	Open	49.50
	17-00684 06/02/17 LEGALS ADS	Open	33.00
			----- 82.50
2401	GARDEN STATE HIGHWAY PRODUCTS 17-00483 04/17/17 STREETScape	Open	540.00
	17-00623 05/15/17 STREETScape	Open	210.00
			----- 750.00
02181	GATEWAY PRESS 17-00591 05/08/17 TAX	Open	114.00
01549	GENERAL CODE, LLC 17-00668 06/01/17 A&E	Open	2,960.00
	17-00680 06/01/17 A&E	Open	1,195.00
			----- 4,155.00
01194	GLENCO SUPPLY, INC. 17-00390 03/24/17 DPW	Open	310.00

00509	H. BARBER AND SONS, INC. 17-00627 05/16/17 BEACH	Open	584.02
01365	HARTER EQUIPMENT, INC. 17-00389 03/24/17 BEACH	Open	600.00
2405	J.N. SUPPLIES, LLC 17-00558 05/01/17 SEWER	Open	280.00
01526	JCP & L 17-00672 06/01/17 ELECTRIC	Open	6,311.26
00893	JOHN H. STAMLER POLICE ACADEMY 17-00420 04/03/17 POLICE	Open	30.00
2304	L3 MOBILE VISION, INC. 17-00529 04/26/17 POLICE	Open	793.00
00015	LANIGAN ASSOCIATES, INC. 17-00274 02/27/17 POLICE 17-00618 05/15/17 POLICE	Open Open	904.65 180.00
			----- 1,084.65
00275	M & S WASTE SERVICES, INC. 17-00184 02/02/17 TRASH PICK UP 17-00674 06/01/17 LANDFILL TIPPING	Open Open	10,070.25 7,943.81
			----- 18,014.06
00337	MARINE RESCUE PRODUCTS, INC. 17-00625 05/15/17 BEACH	Open	229.75
01145	MCCUE, JAMES 17-00617 05/15/17 POLICE 17-00619 05/15/17 POLICE	Open Open	69.95 59.99
			----- 129.94
2278	MCLAUGHLIN, STAUFFER & SHAKLEE 17-00690 06/02/17 LEGAL SERVICES	Open	5,348.60
00176	MODULAR SPACE CORPORATION 17-00670 06/01/17 POLICE	Open	3,030.00
00688	MONMOUTH COUNTY POLICE ACADEMY 17-00579 05/08/17 POLICE	Open	25.00
02045	MONMOUTH COUNTY SPCA 17-00636 05/19/17 ANIMAL CONTROL	Open	50.00
01323	MONMOUTH COUNTY TREASURER 17-00563 05/02/17 OEM	Open	1,500.00
01399	NEW JERSEY AMERICAN WATER 17-00644 05/23/17 WATER 17-00677 06/01/17 HYDRANTS	Open Open	404.29 2,390.30
			----- 2,794.59
00502	NJ STATE LEAGUE/MUNICIPALITIES 17-00681 06/01/17 A&E	Open	180.00
01629	NJRHS COMMERCIAL SERVICES 17-00568 05/05/17 BUILDINGS & GROUNDS	Open	195.00

00046	ONE CALL CONCEPTS, INC.		
	17-00678 06/01/17 "CALL BEFORE YOU DIG"	Open	40.00
01047	PIRTEK SOUTH BRUNSWICK		
	17-00628 05/16/17 BEACH	Open	339.40
2290	PORZIO, BROMBERG & NEWMAN		
	17-00652 05/23/17 LEGAL SERVICE	Open	2,040.53
00025	REALTY APPRAISAL CO.		
	17-00648 05/23/17 TAX ASSESSOR	Open	1,400.00
00463	RUTGERS, THE STATE UNIVERSITY		
	17-00633 05/19/17 TRAINING	Open	562.00
01088	RYSER'S LANDSCAPE SUP YARD, INC		
	17-00646 05/23/17 DPW	Open	655.00
01554	SEA BRIGHT SERVICE CENTER		
	17-00530 04/26/17 POLICE	Open	815.38
	17-00624 05/15/17 POLICE	Open	930.64
	17-00635 05/19/17 POLICE	Open	969.69
	17-00639 05/19/17 POLICE	Open	427.00

			3,142.71
00027	SEABOARD WELDING SUPPLY, INC.		
	17-00689 06/02/17 DPW	Open	29.00
01011	SEMCOR EQUIPMENT CORPORATION		
	17-00647 05/23/17 DPW	Open	114.00
02217	Settembrino Architects		
	17-00023 01/18/17 ARCHITECT	Open	7,939.28
01027	SHORE BUSINESS SOLUTIONS		
	17-00685 06/02/17 POLICE	Open	120.00
	17-00686 06/02/17 A&E	Open	395.00

			515.00
00125	SPAHR, PATRICIA		
	17-00641 05/22/17 TAX COLLECTOR	Open	114.48
2247	STAPLES ADVANTAGE		
	17-00594 05/11/17 OFFICE SUPPLIES	Open	165.98
	17-00631 05/16/17 BUILDINGS AND GROUNDS	Open	942.48
	17-00663 05/30/17 OFFICE SUPPLIES	Open	60.62

			1,169.08
02225	STAPLES ADVANTAGE		
	17-00679 06/01/17 POLICE	Open	32.96
00083	T & M ASSOCIATES		
	17-00044 01/18/17 ENGINEER	Open	911.36
	17-00665 06/01/17 ENGINEER	Open	4,469.98
	17-00666 06/01/17 ENGINEER	Open	1,537.50

			6,918.84
01285	THE HOME DEPOT		
	17-00629 05/16/17 BUILDING & GROUNDS	Open	64.98
2413	THOUSAND MILE		
	17-00645 05/23/17 BEACH	Open	396.85

00316	TREASURER, COUNTY OF MONMOUTH 17-00581 05/08/17 POLICE	Open	1,000.00
00331	TREASURER, STATE OF NJ 17-00649 05/23/17 TIDELANDS FEE	Open	1,050.00
01577	TREASURER, STATE OF NJ 17-00659 05/30/17 CLERK	Open	25.00
01692	TROPICANA CASINO & RESORT 17-00429 04/06/17 TAX COLLECTOR	Open	170.48
02061	VERIZON WIRELESS 17-00687 06/02/17 POLICE	Open	1,231.94
TOTAL:			78,485.57

BILL LIST JUNE 5, 2017 - MANUAL CHECKS

5/16/2017	Public Storage	\$312.00
17-00632	Rental Unit/June 2017	
6/1/2017	T & M Associates	\$112.72
17-00667	Engineer:Grading Plan/Escrow	
5/15/2017	Tropicana	\$170.48
17-00429	Tax Collector:Spring Conference	
TOTAL:		\$595.20

GRAND TOTAL: \$79,080.77