

**MINUTES  
REGULAR MEETING  
BOROUGH OF SEA BRIGHT**

**JUNE 20, 2017**

**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:

**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."**

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

**OTHERS:** Attorney Roger McLaughlin, Engineers Fran Mullan, CFO Michael J. Bascom,  
Administrator Joseph L. Verruni, 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.

Thomas Bonfiglio, 1030 Ocean Avenue, questioned why the Borough is reiterating what the Planning Board has already approved regarding his liquor license by issuing special conditions and not for any other licenses. Attorney McLaughlin explained that he did not incorporate all of the conditions within the planning board approval – only the ones that were designed to ensure that there would be a minimum disturbance to the surrounding residential areas - every license is a separate entity. Mr. Bonfiglio requests that he be treated fairly.

Thomas Maher, 1124 Ocean Avenue, questioned why special conditions were being applied to his liquor license stating no amplified/loud or recorded music after 10 pm and asked if all establishments have to adhere to that rule - if so, why is he being singled out? Attorney McLaughlin explained that there have been issues in the past with that licensed premise and Council and Chief Sorrentino wanted to address that. Mayor Long said that each license is dealt with individually and each one has a set of conditions unique to its location.

Christina Galinos, 1054 Ocean Avenue, explained that she attended the last meeting to inquire about her neighbor at 1056 Ocean Avenue and previously requested information about the status of the property. Ms. Galinos said she is aware that the property owner was granted an extension from a Judge and would like to know how much time she has been given to complete improvements? Attorney McLaughlin explained that the property owner received an order from the building department and they need to comply within specific time frames and he will give a copy to the Clerk with dates.

Pam Ross, 6 Penninsula, asked where she could read what the special conditions are for each liquor licensee. The Mayor answered that the conditions are written in to the resolutions for each establishment which are posted on the bulletin board.

Vincent LePore, Long Branch, addressed Resolution 103-2017 and stated there were issues pertaining to the Municipal Public Access Plan (MPAP) that was submitted to the NJDEP. Also, Mr. Lepore said Sea Bright missed an opportunity because the Oceanport Board of Education passed a resolution against regionalization which could have lowered taxes. Mayor Long addressed Mr. Lepore's comments with regards to the MPAP and confirmed the NJDEP feels our plan is adequate and they do not have any issues with language, process, tidal water and the word "waiver" does not exist in the MPAP.

**EXECUTIVE SESSION**

Councilmember Keeler offered a motion to enter into Closed Session; seconded by Councilmember Leckstein:

**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.

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

There being no further business to discuss a motion to go back into the regular meeting as made by Councilman Leckstein and seconded by Councilman Birdsall with unanimous voice vote approval.

**CONSENT AGENDA**

Councilmember Leckstein offered a motion to remove Resolutions 113-2017 and 119-2017 and the Minutes and approve the remaining items that are considered routine in nature under the consent agenda; seconded by Councilmember Birdsall:

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

**Resolutions:**

**No. 110-2017** Renewal of the Alcoholic Beverage License of Sea Horse LLC, T/A Driftwood Beach Club for the 2017-2018 License Term

**RESOLUTION NO. 110-2017**

**RENEWAL OF THE ALCOHOLIC BEVERAGE LICENSE OF SEA HORSE LLC, t/a DRIFTWOOD BEACH CLUB FOR THE 2017-2018 LICENSE TERM**

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

**WHEREAS**, the Sea Horse LLC, t/a Driftwood Beach Club has submitted a complete application form for the renewal of alcoholic beverage license no. 1343-33-004-004 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 1343-33-004-004 held by Sea Horse LLC, t/a Driftwood 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  
Yes Yes Yes Yes Yes Yes

**No. 111-2017** Renewal of the Alcoholic Beverage License of Watersedge, T/A Edgewater Beach Club for the 2017-2018 License Term

**RESOLUTION NO. 111-2017**

**RENEWAL OF THE ALCOHOLIC BEVERAGE LICENSE OF WATERSEDGE, t/a EDGEWATER BEACH CLUB FOR THE 2017-2018 LICENSE TERM**

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

**WHEREAS**, the Watersedge, t/a Edgewater Beach Club has submitted a complete application form for the renewal of alcoholic beverage license no. 1343-33-018-008 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 1343-33-018-008 held by Watersedge, t/a Edgewater 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  
 Yes Yes Yes Yes Yes Yes

**No. 112-2017** Renewal of the Alcoholic Beverage License of 1124 Ocean Ave Liquor, T/A Rory’s Pub for The 2017-2018 License Term

**RESOLUTION NO. 112-2017**

**RENEWAL OF THE ALCOHOLIC BEVERAGE LICENSE OF 1124 OCEAN AVE LIQUOR, t/a RORY’S PUB FOR THE 2017-2018 LICENSE TERM**

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

**WHEREAS**, the 1124 Ocean Ave Liquor, t/a Rory’s Pub has submitted a complete application form for the renewal of alcoholic beverage license no. 1343-33-005-003 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 1343-33-005-003 held by 1124 Ocean Ave Liquor, t/a Rory’s Pub be and is hereby renewed for the annual license term commencing July 1, 2017 based upon the following special condition:

“No amplified live or recorded music shall be played in the courtyard of the licensed premises after 10:00 pm daily.”

**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  
 Yes Yes Yes Yes Yes Yes

**No. 114-2017** Renewal Of The 2017 -2018 Liquor Licenses For Those Licensees Who Have Met All Borough and State Requirements and Paid All Applicable Fees

**RESOLUTION NO. 114-2017**

**RENEWAL OF THE 2017 -2018 LIQUOR LICENSES FOR THOSE LICENSEES WHO HAVE MET ALL BOROUGH AND STATE REQUIREMENTS AND PAID ALL APPLICABLE FEES**

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

**WHEREAS**, the Retail Renewal Application forms for the 2017 - 2018 license term has been deemed complete in all respects, the annual fees have been paid to both the Borough of Sea Bright and the State of New Jersey, Division of ABC; and

**WHEREAS**, the Borough Council of the Borough of Sea Bright, County of Monmouth, hereby authorize the renewal of the following Retail Alcoholic Beverage Licenses for the 2017 -2018 license term:

<b><u>RETAIL CONSUMPTION LICENSES:</u></b>	<b><u>RENEWAL FEE: \$2,400.00</u></b>
1343-33-002-010	Smith, George & Lillian t/a L&G Restaurant & Bar 140 Ocean Avenue
1343-33-008-003	Superstar Enterprises, Inc. t/a The Cove 1250 Ocean Avenue
1343-33-011-007	S. Kelly Corp. t/a The Mad Hatter 10 East Main Street
<b><u>RETAIL DISTRIBUTION LICENSES:</u></b>	<b><u>RENEWAL FEE: \$1,670.00</u></b>
1343-44-015-004	MS Retail Corp t/a Sea Bright Supermarket/Liquors 1160 Ocean Avenue

**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
	Yes	Yes	Yes	Yes	Yes	Yes

**No. 115-2017** Authorizing The Borough Of Sea Bright To Apply For New Jersey Division of Highway Traffic Safety "Buckle Up In The Park 2017" Grant Funding

**RESOLUTION No. 115-2017**

**AUTHORIZING THE BOROUGH OF SEA BRIGHT TO APPLY FOR NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY "BUCKLE UP IN THE PARK 2017" GRANT FUNDING**

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

**WHEREAS**, the safety and security of the citizens of the Borough of Sea Bright and surrounding area is vitally important; and

**WHEREAS**, a large percentage of motor vehicle occupants injured in traffic accidents were not wearing seat belts; and

**WHEREAS**, the Office of the Attorney General, Division of Highway Traffic Safety, is providing funds for the 2017 "Buckle Up in the Park" campaign on July 1, 8, 15 and 22, 2017, to raise awareness and increase seat belt usage through a combination of enforcement and education as a joint effort between Municipal Police Departments and the Federal Park System at Sandy Hook National Park; and

**WHEREAS**, grant funds in the amount of \$2,500 are available, with no local match, from the Division of Highway Traffic Safety to reimburse the Borough of Sea Bright Police Department for enforcement overtime at a rate of \$50/hour; and

**WHEREAS**, on July 10, 2017, the Borough of Sea Bright Police Chief submitted a letter to the Borough Clerk recommending that the Borough submit an application for said grant; and

**WHEREAS**, the Governing Body of the Borough of Sea Bright wish to apply for "Buckle up in the Park" 2017 grant funding.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the appropriate officials are hereby authorized to execute and sign any and all documents in order to effectuate the receipt of the aforementioned reimbursement grant funds in the total amount of \$2,500.00 from the Division of Highway Traffic Safety, "Buckle Up In The Park" 2017 Campaign; and

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

- 1. Director of Finance
- 2. Chief of Police
- 3. CFO

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

**No. 116-2017** Resolution To Urge Representatives From The State Of New Jersey To Support The Legislative Action To Re-Authorize And Extend the National Flood Insurance Program (NFIP)

**RESOLUTION NO. 116-2017**

**RESOLUTION TO URGE REPRESENTATIVES FROM THE STATE OF NEW JERSEY TO SUPPORT THE LEGISLATIVE ACTION TO RE-AUTHORIZE AND EXTEND THE NATIONAL FLOOD INSURANCE PROGRAM ("NFIP")**

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

**WHEREAS**, floods are the most common and most destructive natural disasters in the United States; and

**WHEREAS**, the National Flood Insurance Act authorizes a National Flood Insurance Program ("NFIP"); and

**WHEREAS**, the NFIP is a Federal program created by Congress to mitigate future flood losses nationwide and to provide access to affordable, federally backed flood insurance protection for property owners; and

**WHEREAS**, the NFIP is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods; and

**WHEREAS**, New Jersey is fourth in the nation in the number of NFIP policies enforced and third in total value of claims paid; and

**WHEREAS**, five hundred and fifty-two communities in New Jersey participate as members of the NFIP which amounts to over 230,000 policies enforced throughout the State of New Jersey; and

**WHEREAS**, the NFIP maintains a significant role in providing financial protection against flood events to New Jersey residents; and

**WHEREAS**, the NFIP is set to expire on September 30, 2017; and

**WHEREAS**, the expiration of this program could cause catastrophic loss of insurance coverage against flooding which is the number one cause of loss of property throughout the United States; and

**WHEREAS**, in the event the program were to expire, the consequences in the form of disruption of coverage and the potential financial burdens to residents throughout the State of New Jersey will be of great economic significance; and

**WHEREAS**, the purpose of this Resolution is to urge the Borough of Sea Bright Federal Representatives to support the extension of the NFIP which promotes the public health, safety and general welfare and minimizes public and private losses due to flooding events in the State of New Jersey.

**NOW, THEREFORE, BE IT RESOLVED**, that Governing Body of the Borough of Sea Bright hereby urges its Federal Legislators and Representatives to take any and all necessary action to insure that the National Flood Insurance Program is extended beyond the September 30, 2017 expiration date.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be forwarded to Borough of Sea Bright Federal Legislators and Representatives.

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

**No. 117-2017** Appointing William E. Antonides & Company as Fiscal Officer and Other Related Accounting Services

**RESOLUTION NO. 117-2017**  
**APPOINTING WILLIAM E. ANTONIDES & COMPANY**  
**AS FISCAL OFFICER AND OTHER RELATED ACCOUNTING SERVICES**

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

**WHEREAS**, the Borough of Sea Bright is in need of professional services of an accountant for a variety of matters such as a fiscal officer and other accounting services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5 as appropriate*; and

**WHEREAS**, on April 22, 2014, Resolution 71-2014 appointed "William E. Antonides & Company" ("Antonides") as the Fiscal Officer and to provide services of an accountant for a variety of matters; and

**WHEREAS**, the Borough of Sea Bright has requested a proposal from "Antonides" to continue accounting services in the Borough; and

**WHEREAS**, the Borough received a proposal dated June 2, 2017 from "Antonides" to extend the contract for a period of two years, May 1, 2017 to April 30, 2019 in the amount of \$39,750.00 per year; and

**WHEREAS**, there is a need to continue with William E. Antonides and Company for accounting services with the Borough of Sea Bright as outlined in the attached Professional Services Agreement.

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief of Financial Officer of the Borough of Sea Bright, do hereby certify that funds are available for the purpose of this contract in Finance/Beach/Sewer - O/E.

  
MICHAEL J. BASCOM, CFO

**NOW THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, does hereby authorize the extension of agreement with William E. Antonides and Company for an additional two years to perform accounting services at the rate of \$39,750.00 per year commencing May 1, 2017 to April 30, 2019; and

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

- 1. Finance Manager
- 2. Borough Chief Financial Officer
- 3. William E. Antonides and Company

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

**No. 118-2017** Sidewalk Cafe & Restaurant Approvals

**RESOLUTION No. 118-2017**  
**SIDEWALK CAFE & RESTAURANT APPROVALS**

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

**WHEREAS**, the Revised General Ordinances of the Borough of Sea Bright Chapter 172, entitled "Sidewalk Cafes and Restaurants" permits restaurants in the B-1 Zone to operate a sidewalk café or restaurant; and

**WHEREAS**, the Borough Clerk received applications with the initial application fee of \$100.00 from:

- 1. Yumi, 1120 Ocean Avenue
- 2. Anjelica's Restaurant, 1070 Ocean Avenue
- 3. Alice's Kitchen, 1108 Ocean Avenue

- 4. Bubbakoos Burrito, 1054 Ocean Avenue
- 5. Sonny's Sandwich Shop, 1064 Ocean Avenue
- 6. Gigi's Pizza & Restaurant, 1142 Ocean Avenue

**WHEREAS**, the Zoning Officer, the Chief of Police and the Director of Public Works reviewed the applications and have granted their approval to the Mayor and Council.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey does hereby authorize the issuance of Sidewalk Café and Restaurant licenses as per Ordinance No. 10-2016 to the above listed restaurants provided the annual licensing fees are paid; and

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

- 1. John Sorrentino, Chief of Police
- 2. Candace Mitchell, Administrative Assistance
- 3. Applicants

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

**INDIVIDUAL ACTION:**

Councilmember Keeler offered a motion to approve the minutes listed below; seconded by Councilmember Birdsall:

**Minutes:**

06-05-2017	Regular Meeting
06-05-2017	Executive Session

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

**Resolutions:**

**No. 113-2017** Renewal of the Alcoholic Beverage License of 1030 Liquor Partners, T/A Tommy's Tavern and Tap for the 2017-2018 License Term

**RESOLUTION NO. 113-2017**  
**RENEWAL OF THE ALCOHOLIC BEVERAGE LICENSE OF**  
**1030 LIQUOR PARTNERS, t/a TOMMY'S TAVERN AND TAP**  
**FOR THE 2017-2018 LICENSE TERM**

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

**WHEREAS**, the 1030 Liquor Partners, t/a Tommy's Tavern and Tap has submitted a complete application form for the renewal of alcoholic beverage license no. 1343-33-017-005 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 residents who live in close proximity to the licensed premises have expressed concerns to the Borough Council pertaining to the noise which emanates from the licensed premises; and

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

**WHEREAS**, the licensee has recently made application to the Sea Bright unified Planning Board for amended site plan and variance approval pertaining, in part, to the rear dining area and the rear yard area of the premises, which area has been the source of most of the residents expressed concerns; and

**WHEREAS**, during the course of the Planning Board hearing on the aforesaid application, the licensee stipulated to the imposition of certain conditions upon the Planning Board's approval designed to minimize noise and disturbance to surrounding properties; and

**WHEREAS**, the Borough Council finds that those stipulations and conditions are reasonably designed to address the expressed concerns of the residents who live in close proximity to the licensed premises; and

**WHEREAS**, the Borough Council finds that compliance with those conditions will help to ensure the proper operation of the licensed premises in accordance with applicable local ordinances, alcoholic beverage laws and regulations.

**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 1343-33-017-005 held by 1030 Liquor Partners, t/a Tommy's Tavern and Tap be and is hereby renewed for the annual license term commencing July 1, 2017 subject to the following special conditions:

1. The rear outdoor patio dining area, as such area was depicted on the exhibit presented to and approved by the planning board, will be separated from the rear yard gathering space. Such separation and other improvements (including drop down curtain) shall be diligently commenced and completed upon signing, publication and running of appeal period of the planning board resolution of approval.
2. Once installed, gates between the rear yard area and patio dining area will be closed at 10:00 p.m. and all patrons will be directed to vacate the rear yard at that time. There will be no access to the rear yard area after 10:00 p.m.
3. There will be no wait service to the rear yard area—no food or drinks will be served in this area but consumption of food and drinks in the rear yard area shall be permitted.
4. No person will be served food unless they are seated at a dining table or bar in the permitted dining areas.
5. Once installed the drop down curtain on the canopy over the rear dining area on the Northside ("Nautilus Side") will remain down at all times that the outdoor dining is in use.

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

4. Chief of Police
5. Fiscal Officer
6. Division of Alcoholic Beverage Control

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

**No. 119-2017** Change Order No. 5 - Reconstruction of Six Bulkheads and New Stormwater Pump Station - R. Kremer & Son Marine Contractors, LLC

Councilman Keeler said that according to his calculations, the numbers don't add up and the total revised contract amount should be \$1,553,545.95 which should be reflected in the resolution. Borough Engineer Mullan concurred and added that the contractor requested Council consider reducing his performance bond by the amount of accepted improvements. After a brief discussion Council agreed and added the language to the amended resolution.

**RESOLUTION NO. 119-2017**  
**CHANGE ORDER NO. 5 (INCREASE) RECONSTRUCTION OF SIX BULKHEADS AND NEW STORMWATER PUMP STATION**  
**R. KREMER & SON MARINE CONTRACTORS, LLC**  
**(AS AMENDED\*)**

Councilmember Leckstein introduced and offered the following Resolution as amended for adoption; seconded by Councilmember Kelly:

**WHEREAS**, on April 21, 2015, the Borough Council of the Borough of Sea Bright awarded a contract to R. Kremer & Son Marine Contractors, LLC of Brick, New Jersey for the Reconstruction of Six Bulkheads and New Stormwater Pump Station in the contract amount \$1,199,880.00; and

**WHEREAS**, on October 20, 2015, Resolution #101-2015 authorized the re-consideration to the base bid, to include Alternate A1, A2, A3 & A4 as submitted in the original bid package that awarded a contract to the lowest responsible bidder, R. Kremer & Son Marine Contractors, LLC of Brick, New Jersey for the Reconstruction of Six Bulkheads and New Stormwater Pump Station in an new contract amount of \$1,525,705.00; and

**WHEREAS**, the Borough Engineer, Jaclyn Flor, submitted Change Order No. 1 dated October 13, 2015, identifying two unforeseen issues with the bulkhead and storm drain installation on South Street resulting in an increase of \$41,517.25 and various items were reduced to reflect current as-built quantities resulting in a decrease of \$41,520.00 resulting in a net decrease of \$2.75 to the total contract amount; and

**WHEREAS**, the Borough Engineer, Jaclyn Flor, submitted Change Order No. 2 dated January 5, 2016, identifying a reduction of \$4,080.00 in Items #27, #30 and #A1-15 to reflect the current as-built quantities and Item #10 increased \$4,080.00 to reflect current as-built quantities, resulting in a zero cost change; and

**WHEREAS**, the Borough Engineer, Jaclyn Flor, submitted Change Order No. 3 dated February 16, 2016, increasing items No. 8, 9 and 24 which include additional paving, drainage items and adding an inlet necessary to avoid an existing unforeseen sanitary lateral at the end of Osborne Place in an amount not to exceed \$26,750.00; and

**\*WHEREAS**, the Borough Engineer, Francis W. Mullan, submitted Change Order No. 4 dated October 17, 2016: Item 41) an increase of \$6,500.00 for additional construction efforts to remediate the Osborne Place ponding issues, Item 37) a decrease of \$6,500.00 due to a revision in the testing requirements for the pump station testing on Osborne Place *and identified Item A2-1) an increase in the contract of \$37,400 for Kremer's demobilization and remobilization costs as a result of the postponement of the River Street work until April 1, 2017 in an amount not to exceed \$37,400.00;* and  
(\*See Resolution No. 164-2016 approved on October 18, 2016)

**WHEREAS, Change Order No. 5 dated June 17, 2017**, submitted by the Borough Engineer, Francis W. Mullan, will increase the contract by **\$1,093.70**. The contract will be reduced by the remaining balance for each of the completed Items #6,8,9,11, 13-18, 27-30 and A1-16 in the amount of \$41,071.80; extra supplementary items indentified as S-7, S-8, S-9 and S-10 necessary to complete the project will increase the contract in the amount of \$23,415.50; supplementary work identified as S-11 necessary to remove concrete around the existing water main on River Street where the water main enters the river is an increase of \$18,750.00; and, supplementary item S-12 to extend the completion date of Alternate A-2 (River Street) 92 days until September 15, 2017 due to the delay of the water main extension by NJAW; the new contracted amount is **\$1,553,545.95**.

**CERTIFICATION OF FUNDS**

I, Michael Bascom, Chief Financial Officer, certify that funds are available to pay the aforesaid contractor an additional amount of \$1,093.70 from Bond Ordinance 10-2012.

  
**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 it does hereby approve Change Order No. 5 resulting in an increase to the contract in the amount of \$1,093.70 that amended contract price to **\$1,553,545.95** for the Reconstruction of Six Bulkheads and New Stormwater Pump Station; and

**\*BE IT FURTHER RESOLVED that the performance bond be reduced to \$235,000 to reflect the amount of accepted, concluded improvements; and**

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

- 1. Finance Manager
- 2. Public Works
- 3. Borough Engineer
- 4. R. Kremer & Son Marine Contractors LLC

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

**INDIVIDUAL ACTION/New Business:**

**Vouchers: \$1,010,402.05**

Councilmember Keeler offered a motion to approve the Voucher List dated June 20, 2017 as submitted by the Finance Manager, seconded by Councilmember Leckstein:

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

**VOUCHER LIST  
JUNE 20, 2017  
BOROUGH OF SEA BRIGHT**

00218	ALICE'S KITCHEN		
17-00654	05/23/17 A&E	Open	150.00
02113	AMERICAN WATER		
17-00726	06/13/17 WATER USAGE	Open	316.11

**REGULAR MEETING MINUTES****JUNE 20, 2017**

01984	AVAYA FINANCIAL SERVICES		
17-00757	06/16/17 POLICE	Open	145.29
01241	BAIN'S HARDWARE, INC.		
17-00717	06/12/17 HARDWARE	Open	1,318.97
00631	BARG'S LAWN & GARDEN SHOP, INC		
17-00662	05/30/17 BUILDINGS & GROUNDS	Open	66.40
01957	BENEMAX BENEFIT MANAGEMENT CO.		
17-00701	06/05/17 HEALTH/DENTAL	Open	324.00
01631	BOROUGH OF OCEANPORT		
17-00017	01/18/17 COURT	Open	6,247.50
01974	BOROUGH OF SEA BRIGHT COURT		
17-00742	06/15/17 COURT	Open	75.42
02115	C & L SWEEPER SERVICE		
17-00759	06/16/17 SWEEPER	Open	380.00
01546	C.I.T. TECHNOLOGY FIN SERV, INC		
17-00021	01/18/17 COPIER	Open	157.00
00256	CLEARY, GIACOBBE, ALFIERI &		
17-00766	06/16/17 LEGAL SERVICES	Open	675.00
17-00770	06/16/17 LEGAL SERVICES	Open	20.00
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			695.00
00198	COMCAST		
17-00744	06/15/17 INTERNET	Open	286.31
01988	COMPTON, BARBARA		
17-00715	06/12/17 CLERK	Open	35.00
01493	COOPERATIVE INDUSTRIES, L.L.C.		
17-00738	06/15/17 NATURAL GAS	Open	883.93
2286	DIFRANCESCO, BATEMENT, KUNZMAN		
17-00764	06/16/17 LEGAL SERVICES	Open	3,634.92
01992	DOGS AND CATS, INC.		
17-00722	06/13/17 BEACH	Open	1,541.67
00288	FIRST UNITED METHODIST CHURCH		
17-00721	06/13/17 LIBRARY	Open	1,000.00
2408	FITZPATRICK & SONS		
17-00621	05/15/17 BEACH	Open	700.00
00406	FOGGIA FLORIST		
17-00656	05/23/17 MISC. A&E	Open	250.00
00211	FULL SERVICE WEB SITES, LLC		
17-00737	06/15/17 WEB SITE	Open	570.00
02101	GANNETT NJ		
17-00760	06/16/17 CLERK	Open	19.80
01194	GLENCO SUPPLY, INC.		
17-00661	05/30/17 DPW	Open	270.00
17-00703	06/05/17 DPW	Open	143.25
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			413.25
01634	GRAMCO WORD PROCESSING, INC.		
17-00705	06/05/17 A&E	Open	975.00
00700	JACOBS, KHRISTI		
17-00716	06/12/17 FINANCE	Open	289.35
01526	JCP & L		
17-00739	06/15/17 ELECTRIC	Open	1,554.52
01043	JERSEY PROFESSIONAL		
17-00736	06/15/17 DEPUTY CLERK	Open	4,657.50
00297	JESSE A. HOWLAND & SONS, INC.		
17-00754	06/16/17 PARKING LOT	Open	750.00
17-00755	06/16/17 BUILDING LEASE	Open	1,705.00
17-00756	06/16/17 BUILDING LEASE	Open	3,845.00
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			6,300.00
00895	JOHNNY ON THE SPOT, INC.		
17-00765	06/16/17 BEACH	Open	742.00
01784	JUNGLE LASERS, LLC		
17-00704	06/05/17 BUILDING DEPT	Open	900.00
00167	KEEP IT SAFE		
17-00750	06/15/17 SERVER	Open	209.12

**REGULAR MEETING MINUTES**

**JUNE 20, 2017**

2416	KELSO CONSTRUCTION CO, INC.		
17-00752	06/15/17 BEACH PAVILION	Open	157,309.60
02110	KLEIN, DON		
17-00729	06/14/17 BEACH	Open	59.86
00971	LANG, STEVEN		
17-00710	06/12/17 REIMB. IT COSTS	Open	249.99
00337	MARINE RESCUE PRODUCTS, INC.		
17-00691	06/02/17 BEACH	Open	1,034.00
2417	MARLIN BUSINESS BANK		
17-00758	06/16/17 COPIER	Open	172.00
00351	MASON, JR., PATRICK		
17-00522	04/25/17 BEACH	Open	4,168.95
01900	MCKENNA, DUPONT, HIGGINS &		
17-00751	06/15/17 LEGAL SERVICES	Open	3,024.30
00176	MODULAR SPACE CORPORATION		
17-00743	06/15/17 RENTAL	Open	385.00
01323	MONMOUTH COUNTY TREASURER		
17-00732	06/14/17 ELECTIONS	Open	88.70
02256	MONMOUTH TELECOM		
17-00706	06/05/17 PHONE SERVICE	Open	1,233.20
00137	MUNICIPAL CAPITAL CORPORATION		
17-00022	01/18/17 COPIER	Open	224.73
01309	OCEANPORT BOARD OF EDUCATION		
17-00723	06/13/17 GRADE SCHOOL TAX	Open	53,581.17
02019	OMEGA GRAPHICS		
17-00698	06/05/17 RECREATION	Open	258.00
2290	PORZIO,BROMBERG & NEWMAN		
17-00763	06/16/17 LEGAL SERVICES	Open	2,486.50
01482	PRECISION DYNAMICS CORP.		
17-00620	05/15/17 BEACH	Open	599.50
02141	RELIANCE GRAPHICS, INC.		
17-00658	05/30/17 ELECTIONS	Open	590.00
2280	ROONEY III,CHARLES		
17-00730	06/14/17 LIBRARY	Open	500.00
17-00731	06/14/17 BEAUTIFICATION	Open	129.25
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			629.25
00788	SCARINCI & HOLLENBECK, LLC		
17-00725	06/13/17 LEGAL SERVICES	Open	3,665.00
00027	SEABOARD WELDING SUPPLY, INC.		
17-00769	06/16/17 DPW	Open	14.50
02217	Settembrino Architects		
17-00023	01/18/17 ARCHITECT	Open	5,007.52
17-00024	01/18/17 ARCHITECT	Open	10,965.00
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			15,972.52
00053	SHORE REGIONAL HIGH SCHOOL		
17-00762	06/16/17 HIGH SCHOOL TAX	Open	639,144.97
2387	SIG SAUER		
17-00207	02/14/17 POLICE	Open	323.00
2327	SONNY'S		
17-00655	05/23/17 A&E	Open	150.00
2407	STACK,COOLAHAN AND STACK, LLC		
17-00615	05/15/17 TAX ASSESSOR	Open	7,100.00
2247	STAPLES ADVANTAGE		
17-00487	04/19/17 POLICE	Open	122.08
17-00562	05/02/17 POLICE	Open	834.98
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			957.06
01931	SUBURBAN PROPANE		
17-00768	06/16/17 PROPANE	Open	430.40
00083	T & M ASSOCIATES		
17-00719	06/13/17 ENGINEER	Open	6,241.39
17-00720	06/13/17 ENGINEER	Open	2,314.76
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			8,556.15
02233	TED HALL		
17-00657	05/30/17 BUILDINGS & GROUNDS	Open	358.00

**REGULAR MEETING MINUTES****JUNE 20, 2017**

2410	UNITED VOLLEYBALL SUPPLY, LLC		
17-00622	05/15/17 RECREATION	Open	1,270.00
01960	VERIZON		
17-00748	06/15/17 PHONE	Open	1,106.20
2394	VERIZON BUSINESS		
17-00741	06/15/17 PHONE	Open	116.85
02061	VERIZON WIRELESS		
17-00745	06/15/17 PHONE	Open	148.55
17-00746	06/15/17 PHONE	Open	154.04
17-00747	06/15/17 CELL	Open	54.51
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			357.10
01164	WATCHUNG SPRING WATER CO, INC.		
17-00771	06/16/17 SPRING WATER	Open	266.72
01063	WEST MARINE		
17-00707	06/06/17 BEACH	Open	639.36
00077	WEX BANK		
17-00749	06/15/17 GASOLINE	Open	4,241.39
00519	WILLIAM E. ANTONIDES & CO.		
17-00767	06/16/17 FINANCE	Open	3,025.00

**TOTAL: \$948,627.03****MANUAL CHECKS**

17-00735	6/15/2017	David Hoder Associates Engineer:Escrow Acct/Inspection	\$1,625.00
17-00761	6/16/2017	Gannett NJ Legal Ads/Planning Brd-Escrow Accts	\$150.10
17-00734	6/14/2017	McKenna, Dupont, Higgins & Stone Legal Service:Escrow Accts/Review	\$880.00
17-00728	6/14/2017	Public Storage Police:Rental Unit: July-Sept. 2017	\$1,358.00
17-00727	6/14/2017	NJSHBP Health Benefitis:Active&Retired-June 2017	\$52,377.11
16-01526-03	6/20/2017	Black Rock Enterprises 2015 Road Preservation Project - Final payment	\$5,384.81

**TOTAL: \$61,775.02****GRAND TOTAL: \$1,010,402.05****COUNCIL COMMITTEE REPORTS:****BEACH / GRANTS:**

Committee Chair Lamia reported the shared services for lifeguards with Highlands started last Saturday and it seems to be working out. The junior lifeguard program is at an all time high and we have already received 160 applications. The next Dune Committee meeting will be either July 15<sup>th</sup> or 29<sup>th</sup>. Reported progress on all other matters.

**FINANCE / INSURANCE / COURT / VOLUNTEERS:**

Committee Chair Keeler stated that our budget and the Court have been working well. Our FEMA loan is still being reviewed with a possibility of being cancelled out - several other towns have received favorable decisions so we should remain optimistic. Reported progress on all other matters.

**PERSONNEL / PUBLIC RELATIONS / RECREATION:**

Committee Chair Leckstein stated that the Farmers Market has had a great turnout so far this year and all of the vendors are very happy because there are many patrons coming from out of town. Regarding public relations, Councilman Leckstein said he found another post card from 1905 on EBAY that he is donating to the town for the collection. Reported progress on all other matters.

**PUBLIC SAFETY / EDUCATION / LIBRARY:**

Committee Chair Rooney announced that on July 22<sup>nd</sup> the Andy Rooney one and two mile swim will be held. Councilman Rooney commented that it is amazing that the lifeguards are getting such wonderful training from Mike Hudson and Don Klein and said our Ocean Rescue Crew is very impressive and we should be proud. Regarding public safety, Councilman Rooney reported we are working hard to enforce the 30 minute and paid parking program and suggested the BSB might consider hiring an officer to enforce the 30 minute parking in front of the businesses.

Councilman Rooney reported we have been working hard to enforce the garbage ordinance to keep people from putting it out before 7pm, especially on Sundays when weekenders leave early. Reported progress on all matters.

**PUBLIC WORKS / BUILDING DEPARTMENT / CODE ENFORCEMENT:**

Committee Chair Birdsall stated that we have a new seasonal DPW employee that started on May 15<sup>th</sup> and Sean Thomas, our new working Forman started on May 19. Councilman Birdsall reported the sanitary sewer issue near Marius Lane has been repaired, the beach has been set up and the ticket booths are out, mobility mats are located at each entrance and the bathroom facilities are stocked and ready to go. Councilman Birdsall reported the Peninsula and police parking lots have been re-stoned and re-lined for the summer and beach cleaning has been completed on the municipal beaches in the downtown area but we are still unable to use any type of mechanical equipment south of Driftwood Beach Club and north of Ship Ahoy due to the piping plovers' nesting. Councilman Birdsall noted, there have been a few more handicap and wounded warrior parking spots installed in the main lot. Reported progress on all other matters.

**SEA BRIGHT RECOVERY/CAPITAL PLAN/FLOOD CONTROL/BEAUTIFICATION:**

Committee Chair Kelly reported that the beach pavilion project has kicked off and the staging area is set up - the heavy equipment is coming in this week to begin installing pilings. There will be a meeting in Borough Hall tomorrow with the architect and contractor and we should be going out to bid for the municipal project soon so we can award it in the fall. Reported progress on all other matters

**MAYOR DINA LONG – Reports and Communications**

Mayor Long made the following announcements:

- the traditional skim bash boarding competition is this weekend on our beach.
- Sea Bright offers free yoga on the beach Thursday evenings at 7 pm - after the Farmers' Market.
- Borough Hall will be closed on July 3<sup>rd</sup> and 4<sup>th</sup> for the Fourth of July.
- Summer meeting schedule begins next month - there will only be one regular council and one workshop meeting in July and August.

**ADJOURNMENT**

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

<b>Roll Call:</b>	Birdsall,	Keeler,	Kelly,	Lamia,	Leckstein,	Rooney
	Yes	Yes	Yes	Yes	Yes	Yes

Respectfully submitted,

Christine Pfeiffer  
Borough Clerk