

**AGENDA
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

OCTOBER 1, 2019

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 January 7, 2019. 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_____ LECKSTEIN_____
 ROONEY_____ SCHWARTZ_____
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

09-12-2019	Workshop Meeting
09-12-2019	Executive Session
09-17-2019	Regular Meeting
09-17-2019	Executive Session

Resolutions:

No. 152-2019 CHAPTER 159 Budget Amendment State of New Jersey Drunk Driving Enforcement Fund

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

INDIVIDUAL ACTION/Resolutions:

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

No. 153-2019 Authorize Issuance of a “New” Liquor License for the 2018/2019 License Term Seabreeze Wines & Spirits Inc.

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

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

No. 154-2019 Authorizing the Extension of Liquor License to Court Appointed Receiver Seabreeze Wines & Spirits Inc.

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

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

No. 155-2019 Renewal of the 2019/2020 Liquor License Seabreeze Wines & Spirits Inc.

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

ORDINANCE(s):

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

ORDINANCE NO. 21-2019
AN ORDINANCE PROVIDING FUNDING FOR VARIOUS CAPITAL ACQUISITIONS FOR THE BOROUGH OF SEA BRIGHT AND APPROPRIATING \$100,000 FOR SUCH PURPOSE.

Councilmember _____ offered a motion to open the public hearing on Ordinance No. 21-2019; seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

Public Hearing (Ord. No. 21-2019)

Councilmember _____ offered a motion to close the public hearing on Ordinance No. 21-2019; seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

Councilmember _____ offered a motion to adopt Ordinance No. 21-2019 and advertise according to law; seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

INDIVIDUAL ACTION/New Business:

Vouchers: \$183,904.37

Councilmember _____ offered a motion to approve the Voucher List dated October 1, 2019 as submitted by the Finance Manager; seconded by Councilmember _____

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

EXECUTIVE SESSION

Councilmember
seconded by Councilmember

offered a motion to enter into Closed Session;

Resolution to discuss: TBD

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

ADJOURNMENT

Councilmember
by Councilmember

offered a motion to adjourn the meeting; seconded

Roll Call: Birdsall___ Keeler___ Kelly___ Leckstein ___ Rooney___ Schwartz___

RESOLUTION NO. 152-2019
CHAPTER 159 BUDGET AMENDMENT
State of New Jersey
Drunk Driving Enforcement Fund

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

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$2,441.22 which is now available as a revenue from:

FY 2019 Drunk Driving Enforcement Fund

BE IT FURTHER RESOLVED that the like sum of \$5,500.00 is hereby appropriated under the caption of:

FY 2019 Drunk Driving Enforcement Fund

BE IT FURTHER RESOLVED that the above is the result of funds awarded to the Sea Bright Police Department from the FY 2019 Drunk Driving Enforcement Fund in the amount of \$2,441.22.

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

October 1, 2019

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 October 1, 2019.

Christine Pfeiffer, Borough Clerk

RESOLUTION No. 153-2019
Authorize Issuance of a "New" Liquor License
For the 2018/2019 License Term
Seabreeze Wines & Spirits Inc.

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

WHEREAS, a Verified Petition was submitted to the Division of Alcoholic Beverage Control of the State of New Jersey by Joseph M. Casello, Esq. of Collins, Vella & Casello, LLC, the court appointed Receiver for Seabreeze Wines & Spirits Inc. (License No.1343-44-006-011), for a special ruling to authorize the issuance of a "new" license based upon failure to renew due to circumstances beyond licensee's control or other extraordinary circumstances; and

WHEREAS, in connection therewith, the Receiver of said license filed the 12-page application and has paid all the required Plenary Retail Distribution License fees for the 2018-2019 license term; and

WHEREAS, on July 31, 2019, the Borough of Sea Bright received a copy of a letter from the Acting Director, Department of Law and Public Safety, Division of Alcoholic Beverage Control granting the relief sought in the Verified Petition allowing a 12-page application for the 2018-2019 license term to be considered for a new license; and

WHEREAS, it is within the purview of the local issuing authority to either grant or deny said application for a "new" license in the reasonable exercise of its discretion; and

WHEREAS, the Governing Body has considered the foregoing.

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 the following Class C Plenary Retail Distribution License be issued for the 2018-2019 license term pursuant to the 12.18 special ruling granted by the Acting Director, Department of Law and Public Safety, Division of Alcoholic Beverage Control:

License No. 1343-44-006-011
Licensee: Seabreeze Wines & Spirits Inc.
 Borough of Sea Bright, Monmouth County, New Jersey

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

1. Division of Alcoholic Beverage Control
2. Department of Police
3. Joseph M. Casello, Receiver for Seabreeze Wines & Spirits Inc.

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

October 1, 2019

CERTIFICATION

I, Christine Pfeiffer, do hereby certify that this is a true copy of a resolution approved by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on October 1, 2019.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 154-2019
AUTHORIZING THE EXTENSION OF LIQUOR LICENSE
TO COURT APPOINTED RECEIVER
SEABREEZE WINES & SPIRITS INC.

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

WHEREAS, an application has been filed for the extension of Plenary Retail Distribution License 1343-44-006-11 to Joseph M. Casello, Esq., the Court Appointed Receiver for Seabreeze Wines & Spirits, Inc.; and

WHEREAS, the submitted application is complete and includes proof of appointment to act as the Receiver.

NOW THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, hereby approves, nunc pro tunc June 30, 2019, the extension of the aforesaid Retail Distribution License to Joseph M. Casello, Esq. of Collins, Vella & Casello, LLC to conduct business under the privileges, terms, and conditions of the license as Receiver of Seabreeze Wines & Spirits, Inc. until such time as the license may be transferred in compliance therewith and directs the Borough Clerk to endorse the license certificate as follows:

"This license is hereby extended, subject to all its terms and conditions to Joseph M. Casello, Esq. of Collins, Vella & Casello, LLC; and

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

1. Joseph M. Casello, Esq.
2. Division of Alcoholic Beverage Control
3. Sea Bright Police Department

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

October 1, 2019

CERTIFICATION

I, Christine Pfeiffer, do hereby certify that this is a true copy of a resolution approved by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on October 1, 2019.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 155-2019
RENEWAL OF THE 2019/2020 LIQUOR LICENSE
SEABREEZE WINES & SPIRITS INC.

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

WHEREAS, the Retail Renewal Application forms for the 2019-2020 license term for SeaBreeze Wines & Spirits Inc. have been received and are deemed complete in all respects; and

WHEREAS, 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 License for the 2019-2020 license term:

RETAIL DISTRIBUTION LICENSES: _____ **RENEWAL FEE: \$1,670.00**

1343-44-006-011 _____ SeaBreeze Wines & Spirits Inc.
1060 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 Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that authorization is hereby given to renew the aforesaid liquor license for the 2019-2020 license term; and

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

1. Chief of Police
2. Division of Alcoholic Beverage Control
3. Joseph M. Casello, Receiver for Seabreeze Wines & Spirits Inc.

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

October 1, 2019

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 October 1, 2019.

Christine Pfeifer, Borough Clerk

BOND ORDINANCE NO. 21-2019
AN ORDINANCE PROVIDING FUNDING FOR VARIOUS CAPITAL ACQUISITIONS FOR THE BOROUGH OF SEA BRIGHT AND APPROPRIATING \$100,000 FOR SUCH PURPOSE.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA BRIGHT, IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The Borough of Sea Bright, in the County of Monmouth, New Jersey, authorizes for various capital acquisitions, including the acquisition of computers, electronic equipment, furniture and other office equipment for the Police Department, Administrative Department, the Department of Public Works and Fire Department for the Borough of Sea Bright, to be funded from the sources specified in Section 2 of this Ordinance.

Section 2. The amount of \$100,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the FEMA Disaster Recovery Municipal Facilities Project Fund in the amount of \$75,000 and from the Borough's General Capital Improvement Fund in the amount of \$25,000.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Sea Bright may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law.

I HEREBY CERTIFY this to be a true and correct Bond Ordinance No. 21-2019 of the Mayor and Borough Council of the Borough of Sea Bright, introduced on September 17, 2019 and will be further considered after a Public Hearing held on October 1, 2019 at the Municipal Building, 1097 Ocean Avenue, at 7:00 pm.

INTRODUCED: September 17, 2019
Public Hearing: October 1, 2019
ADOPTED:

Witness

BOROUGH OF SEA BRIGHT,

CHRISTINE PFEIFFER, Borough Clerk

DINA LONG, Mayor

**VOUCHER LIST
BOROUGH OF SEA BRIGHT
OCTOBER 1, 2019**

02113	AMERICAN WATER 19-01141 09/24/19 WATER USAGE	Open	324.27
2341	ANTON, TOMMY 19-01090 09/05/19	Open	1,040.00
01984	AVAYA FINANCIAL SERVICES 19-01173 09/27/19 POLICE	Open	290.58
00273	BORGATA HOTEL & CASINO 19-00757 06/17/19 A&E	Open	628.00
	19-01004 08/13/19 OEM	Open	157.00
			785.00
01974	BOROUGH OF SEA BRIGHT COURT 19-01154 09/25/19 COURT	Open	339.06
00198	COMCAST 19-01155 09/25/19 INTERNET	Open	152.97
	19-01162 09/26/19 LIBRARY	Open	159.37
			312.34
02231	COUSINS LANDSCAPING 19-01126 09/16/19 BLDGS & GRDS	Open	1,625.00
01544	DESCHAMPS MATS SYSTEMS, INC. 19-00566 05/09/19 BEACH	Open	7,587.90
2286	DIFRANCESCO, BATEMAN, KUNZMAN 19-01143 09/24/19 LEGAL	Open	3,091.80
2380	HOWELL GUN WORKS 19-01129 09/16/19 POLICE	Open	125.00
2417	MARLIN BUSINESS BANK 19-01174 09/27/19 A&E	Open	94.00
01900	MCKENNA, DUPONT, HIGGINS & 19-01139 09/16/19 LEGAL	Open	960.00
02045	MONMOUTH COUNTY SPCA 19-01150 09/24/19 ANIMAL CONTROL	Open	852.50
01399	NEW JERSEY AMERICAN WATER 19-01168 09/26/19 WATER	Open	1,152.50
00113	NJ NATURAL GAS COMPANY 19-01142 09/24/19 NATURAL GAS	Open	165.80
02094	NJ OFFICE WEIGHTS & MEASURES 19-01131 09/16/19 POLICE	Open	60.00
00025	REALTY APPRAISAL CO. 19-01137 09/16/19 TAX ASSESSOR	Open	1,625.00
2618	RIVISTAS SUBSCRIPTION SERVICE 19-01079 09/04/19 LIBRARY	Open	1,246.50
2620	SCOLES FLOORSHINE IND. 19-01089 09/05/19 BEACH	Open	385.00
	19-01130 09/16/19 BEACH	Open	867.00
			1,252.00
01554	SEA BRIGHT SERVICE CENTER 19-01128 09/16/19 POLICE	Open	419.86
00027	SEABOARD WELDING SUPPLY, INC. 19-01149 09/24/19 DPW	Open	29.00
01603	SIGNS BY TOMORROW 19-01080 09/04/19 LIBRARY	Open	265.00

02225	STAPLES ADVANTAGE		
19-00634	05/22/19 OFFICE SUPPLIES	Open	247.57
19-01136	09/16/19 DPW	Open	216.80

			464.37
2535	SUBURBAN DISPOSAL, INC.		
19-01144	09/24/19 LANDFILL	Open	9,283.97
19-01145	09/24/19 TRASH	Open	24,000.03

			33,284.00
01285	THE HOME DEPOT		
19-01087	09/05/19 DPW	Open	115.37
02114	TWO RIVERS WATER RECLAMATION		
19-01157	09/25/19 SEWER	Open	122,724.25
02061	VERIZON WIRELESS		
19-01151	09/24/19 CELL	Open	642.27
19-01158	09/25/19 POLICE	Open	430.76

			1,073.03
01164	WATCHUNG SPRING WATER CO, INC.		
19-01163	09/26/19 SPRING WATER	Open	284.87
		TOTAL:	\$182,024.25

MANUAL CHECKS

19-01133	K. Shaw Construction, Inc.	\$1,880.12
8/16/2019	Planning Brd:Release of Escrow	

GRAND TOTAL: \$183,904.37