

**AGENDA
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

MARCH 16, 2020

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 6, 2020. In each instance, the Date, Time, And Location of This Meeting Were Provided in The Notice. This Meeting Is Open to The Public."

**Councilmember(s) BIRDSALL____ CATALANO____ KEELER____
 LECKSTEIN____ ROONEY____ SCHWARTZ____
Mayor KELLY _____**

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

02-26-2020	Special Executive Session
03-03-2020	Regular Meeting
03-03-2020	Executive Session
03-05-2020	Special Workshop
03-05-2020	Executive Session
03-10-2020	Budget Workshop

Resolutions:

- | | |
|--------------------|---|
| No. 77-2020 | Authorizing a Shared Services Agreement with the Borough of Highlands for Lifeguard Services |
| No. 78-2020 | Amending Resolution No. 35-2020 - Authorizing the Borough of Sea Bright through the Sea Bright Police Department to Participate in the Defense Logistics Agency, Law Enforcement Support Office, 1033 Program to Enable the Sea Bright Police Department to Request and Acquire Excess Department of Defense Equipment |
| No. 79-2020 | Authorizing the Borough of Sea Bright to Enter into an Agreement with the Affordable Housing Alliance |

- No. 80-2020 Authorizing Requests for Proposals for Professional Services**
- No. 81-2020 Authorizing Receipt of Bids 2020/2021 Surf Camp**
- No. 82-2020 Amending Rules and Regulations of the Parking Revenue System
Borough of Sea Bright**
- No. 83-2020 2020 Borough Fee Schedule (Parking)**
- No. 84-2020 Amending Personnel Policies and Procedures Borough of Sea Bright**
- No. 85-2020 Authorizing Sewerage Rates and Charges for Third and Fourth
Quarters of 2020 and First and Second Quarters of 2021**
- No. 86-2020 Refund of 2020 Tax Overpayment BLOCK 29, LOT 25**
- No. 87-2020 Authorizing a Refund for a Person-To-Person Transfer Fee
of Liquor License #1343-33-008**
- No. 88-2020 Donation 2020 Beach Badges Borough of Sea Bright**
- No. 89-2020 Resolution Re-Affirming Opposition to the Northeast Supply
Enhancement Project and Requesting the New Jersey Department of
Environmental Protection to Extend the Public Comment Period and
Conduct a Public Hearing in the Bayshore Area**
- No. 90-2020 Borough of Sea Bright Pledging to Support the New Jersey Wildlife
Action Plan**
- No. 91-2020 Borough of Sea Bright Urges the State of New Jersey to Hold
Fossil Fuel Companies Accountable for Flooding and Hurricane-Caused
Damages**
- No. 92-2020 Authorizing the Release of the Feasibility Study of the Creation of an
All-Purpose PK-12 Regional School District**

Roll Call: Birdsall___ Catalano___ Keeler___ Leckstein ___ Rooney___ Schwartz___

ORDINANCE(s):

Introduction: Mayor Kelly to read the ordinance by title:

ORDINANCE NO. 03-2020
**AN ORDINANCE AMENDING AND SUPPLEMENTING THE
GENERAL CODE OF THE BOROUGH OF SEA BRIGHT,
CHAPTER 201 ENTITLED VEHICLES AND TRAFFIC**

Councilmember _____ offered a motion to introduce Ordinance No. 03-2020 for a public hearing to be held on April 7, 2020 and advertise according to law; seconded by Councilmember _____

Roll Call: Birdsall___ Catalano___ Keeler___ Leckstein ___ Rooney___ Schwartz___

INDIVIDUAL ACTION/New Business:

Resolution:

No. 93-2020 **Authorizing Agreement with JNM Holdings, Inc. For Use of Parking Lot at 1139 Ocean Avenue – Block 19, Lots 2 & 2.01 for the 2020 Summer Season**

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

Roll Call: Birdsall___ Catalano___ Keeler___ Leckstein ___ Rooney___ Schwartz___

Vouchers: \$321,201.18

Councilmember offered a motion to approve the Voucher List dated March 16, 2020 as submitted by the Finance Manager; seconded by Councilmember

Roll Call: Birdsall___ Catalano___ Keeler___ Leckstein ___ Rooney___ Schwartz___

BUDGET INTRODUCTION:

PRESENTATION OF 2020 BUDGET: Michael Bascom, Chief Financial Officer

Councilmember offered a motion to introduce 2020 Municipal Budget and to hold a public hearing on April 21, 2020; seconded by Councilmember

Res. No. 94-2020 **Introduction of the 2020 Municipal Budget**

Vote: Birdsall___ Catalano ___ Keeler___ Leckstein ___ Rooney ___ Schwartz ___

MAYOR AND COUNCIL COMMITTEE COMMENTS

EXECUTIVE SESSION

Councilmember offered a motion to enter in to Closed Session; seconded by Councilmember

Resolution to discuss: TBD

Roll Call: Birdsall___ Catalano___ Keeler___ Leckstein ___ Rooney___ Schwartz___

ADJOURNMENT

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

Roll Call: Birdsall___ Catalano___ Keeler___ Leckstein ___ Rooney___ Schwartz___

RESOLUTION NO. 77-2020
**AUTHORIZING A SHARED SERVICES AGREEMENT WITH
THE BOROUGH OF HIGHLANDS FOR LIFEGUARD SERVICES**

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

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et. seq. authorizes the approval of Shared Services Agreements between local units by Resolution; and

WHEREAS, the Borough of Sea Bright ("Sea Bright") and the Borough of Highlands ("Highlands") wish to enter into a Shared Services Agreement for the provision of life guard services by Sea Bright to Highlands for the 2020 summer season; and

WHEREAS, Sea Bright and Highlands agree that Sea Bright is to provide lifeguard services to Highlands for the period of June 15, 2020 through and including September 7, 2020 as per the terms of the Agreement attached for an amount of \$47,000.00; and

WHEREAS, the parties acknowledge and agree that they are associated for only the purposes set forth in the Agreement and any other duly ratified Shared Services Agreement between them, and that each is a public entity separate and distinct from the other.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute a Shared Services Agreement for life guard services with the Borough of Highlands for the 2020 summer season for a fee of \$47,000.00; and

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

1. Finance Manager
2. Beach Manager
3. Borough Attorney
4. Borough of Highlands
5. Department of Community Affairs, DLGS

Vote: Birdsall, Catalano, Keeler, Leckstein, Rooney, Schwartz

March 16, 2020

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 March 16, 2020.

Christine Pfeiffer, Borough Clerk



BOROUGH OF SEA BRIGHT
MONMOUTH COUNTY, NEW JERSEY
www.seabrightnj.org

BOROUGH OFFICES:
1167 OCEAN AVENUE
SEA BRIGHT, NJ 07760
TEL: (732) 842-0099
FAX: (732) 741-3116

Re: Highlands Lifeguard/River Rescue Program Summer 2020

Sea Bright Ocean Rescue is a nationally certified ocean rescue agency. Currently SBOR is a USLA certified agency and holds a concurrent lifeguard program certification by the North Shore Lifesaving Association Monmouth County, NJ. Sea Bright Ocean Rescue is one of only a hand full of NATIONAL USLA certified agencies in New Jersey with a Surf Rescue Team that holds its own USLA certification as an Aquatic Response Rescue Team. SBOR was also recently awarded a Personal Rescue Watercraft certification by the USLA. SBOR is certified by the state of NJ as an ocean & tidal water beach lifeguard service under NJAC 8:26. The services provided to the Highlands will fall under all of Sea Bright's agency certifications. Therefore, the Highlands beaches will all fall under our certifications under this proposed shared service.

Staffing and Hours of Operation

- Lifeguard operations will fall under the supervision and operational command of Sea Bright Ocean Rescue.
- One Ocean Rescue supervisor will provide daily oversight of operations via roving rescue vehicle.
- Two beaches will be protected full time (7 days/week) starting on **Monday, June 15th to Monday, September 7th, 2020.**
 - Snug Harbor
 - Miller Street
- One lifeguard stand per beach staffed from 10:00 am until 4:00 pm 7 days a week.
- Snug Harbor will be assigned (2) two USLA qualified open water beach lifeguards and Miller Street will be assigned (2) USLA qualified open water beach lifeguard until roughly August 16th There will also be a roving duty supervisor between Sea Bright and the Highlands.
- August 17th to Labor Day staffing **may** drop to only one lifeguard per beach during the weekdays dependent on available personnel. Our roster will be unknown until 2020 candidates are evaluated, hired, and trained. Although we reserve the right to do this, we do not anticipate staffing being an issue.
- Bay and River rescue services and advanced rescue response from Sea Bright's Surf Rescue Team 24 hours a day becomes available to Highlands.
- Highlands would be expected to maintain a safe and clean beach; free of large or sharp jagged debris.
- Highlands would be expected to perform routine maintenance on lifeguard stands.
- Highlands would be expected to provide appropriate storage at Snug Harbor beach for rescue equipment.
- Highlands would be expected to provide appropriate signage.

Lifeguard Training and Certification

- Each of Sea Bright's Lifeguards no matter rank or assignment will attend well over 70 hours of water rescue and Emergency medical first responder training during their rookie year.
- Re-current/returning lifeguards complete at least 16 hours of rescue and medical refresher training annually.
- Completion of a 500 meter open water (surf) swim completed in less than 10 minutes.
- Completion of a 400 meter Run-swim-Run completed in less than 6 minutes.
- Each ocean lifeguard will hold the following professional level of certification:
 - AHA Basic Life Support for Health Care Professionals or equivalent level
 - AHA, ASHI or ARC Lifeguard / First Aid Certification
 - 20 hours of additional and 8 hours per year of Aquatic Medical Response Training
- Ocean Rescue supervisors will maintain all training and certification of a front line Ocean Lifeguard with the following additional certifications and training:

- State or National certification as a Paramedic, EMT or EMR
- FEMA Incident Command Courses IC 100 IC 700 and IC 800
- Rescue Water Craft Operator or Crewman
- Completion of annual EVOC training (emergency vehicle operations course)

Lifeguard and Rescue Services

- Water surveillance and prevention of drowning and/or traumatic injury
- Water rescue either in open water or swift water (guarded area)
- Code-X missing swimmer search and rescue (still water)
- First -Aid to the sick and injured within the staffed beach areas
- Emergent rapid resuscitation of ill or injured patrons within the staffed beach areas
- Emergency medical care and ambulance coordination within the boundaries of the staffed beach and bathing areas.
- Coordination and resource management of major water related emergencies (Lifeguard Supervisor)
 - Capsized boat or water craft with swimmers in distress
 - Rescue of swimmers outside of guarded areas (swift water)
 - Assist Injured swimmers and boaters unguarded areas of Highlands
 - Assessment and safety management of dangerous aquatic life

Lifeguard Rescue Equipment and Medical Supplies

- Marine warning flags = (4 Flags) x \$21.50 = \$86.00
- Surf Rescue Fins (4) x \$100.00 = \$400.00
- Medical kit (2) x \$75.00 = \$150.00
- Uniforms (7) x \$175.00 = \$1225.00
- Gas for Truck - \$500.00
- **Total = \$2361 in Equipment/Supplies**

Personnel

- Sea Bright Ocean Rescue will add 7 Lifeguards to its roster to meet the need of properly supervising the two beaches in the Highlands.
- A total of 4 Lifeguards will be assigned to Highlands beaches (with a roving supervisor) from **Monday, June 15th to Monday, September 7th, 2020 (7 days/week)**.
- $4 \times \$12.00/\text{hr} = \$48.00 \times 8 \text{ hours/day} = \$384/\text{day} \times 85 \text{ days} = \$32,640$
- $1 \times \$16.00/\text{hr} = \$16.00 \times 4 \text{ hours/day (cost of splitting roving duty supervisor)} = \$64.00/\text{day} \times 85 \text{ days} = \$5,440$
- **Total = \$38,080 in Rescue Personnel Salaries**

Beach Maintenance

- Sea Bright Public Works will rake and maintain the Snug Harbor beach 1x per week using a Holland Beach rake.

Sea Bright Public Works:

- Holland Raking of Snug Harbor beach 1x per week (3 hours per raking) including labor, fuel, and maintenance
 $\$36.75/\text{hour} \times 3 = \$110.25/\text{week} \quad \$110.25 \times 15 \text{ weeks} = \$1,653.75$
- **Total = \$1,653.75**

Total Estimated Direct Cost (Including \$5,000 Administrative Fee) - \$47,00.00

RESOLUTION NO. 78-2020
AMENDING RESOLUTION NO. 35-2020
AUTHORIZING THE BOROUGH OF SEA BRIGHT THROUGH THE
SEA BRIGHT POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE
LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033
PROGRAM TO ENABLE THE SEA BRIGHT POLICE DEPARTMENT TO
REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

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

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the Sea Bright Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the current calendar year from January 1, 2020 to December 31, 2020; and

NOW THEREFORE BE IT FURTHER RESOLVED that Sea Bright Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Sea Bright Police Department, without restriction; and

BE IT FURTHER RESOLVED that the Sea Bright Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes; and

BE IT FURTHER RESOLVED that the "DEMIL B through Q" controlled 3-page property list in its entirety is hereby approved and hereto attached to this resolution; and

BE IT FURTHER RESOLVED that the Sea Bright Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the Sea Bright Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the current calendar year from January 1, 2020 to December 31, 2020.

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

1. NJ State Police
2. Sea Bright Police Department
3. Sea Bright Finance Manager
4. Sea Bright CFO

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

March 16, 2020

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 March 16, 2020.

Christine Pfeiffer, Borough Clerk

	A	B	C	D	E	F	G	H
AIRCRAFT, FIXED WING								
AIRCRAFT, ROTARY WING			1					
AIRPLANE CARGO-T-RANSFORT		1	1					
AIRPLANE FLIGHT T42A		1						5
AIRPLANE UTILITY	1	1						
AIRPLANE UTILITY								
ARMORED SECURITY VEHICLE		1						
ARMORED SECURITY VEHICLE			1					
ARMORED SECURITY VEHICLE			1	1				
AUTOMOBILE, SEDAN			1					
AUTOMOBILE, WAGON			1					
BATON, KINETIC ENERGY			1					
BODY SHIELD				5				
BREACH SYSTEM		1						1
BREACHING RAM				1				
BREACHING SYSTEM	1							
CAPABILITIES SET NON-LETHAL								
CAR, ARMORED								1
CAR, ARMORED								
CAR, ARMORED, MINE DISPOSAL			7	1				
CAR, ARMORED, MINE DISPOSAL				2				
CARRIER, AMBULANCE			1					
CARRIER, CARGO			3					
CARRIER, COMMAND POST			1					
CARTRIDGE, 12 GAGE SHOTGUN								
CARTRIDGE, 12 GAGE SHOTGUN, NON-LETHAL							2	
CARTRIDGE, 40 MILLIMETER				1			11	
CHARGE, DIVERSIONARY			1		1		1	
CLUB, SELF-PROTECTION							1	
COMMUN, EQUIP, SOMS-B								7
CUTTER HEAD, HYDRAULIC BREACHING AND EXTRACATION TOOL		1				1		
DEMOLITION KIT, BLASTING							1	
DEMOLITION KIT, BLASTING, PRACTICE							1	
DEMOLITION KIT, BREACHING SYSTEM, ANTI-PERSONNEL OBSTACLE							1	
DOOR OPENER, HYDRAULIC BREACHING AND EXTRACATION TOOL	1			2			2	
DRONE, TARGET				1				
DRONES			1					
FACESHIELD, MILITARY, RIOT CONTROL	1							

	A	B	C	D	E	F	G	H
FACE SHIELD, RIOT CONTROL								
FACE SHIELD, RIOT CONTROL	1							3
FORCED ENTRY AND RESCUE EQUIPMENT/AIRCRAFT CRASH	1							
GLIDERS								
GOGGLES, PROTECTION, RIOT CONTROL	5							
GRENADE, HAND								
GRENADE, HAND, NON-LETHAL							1	
GROUND SENSOR SURVEILLANCE VEHICLE							2	
GUN, PORTABLE RIOT CONTROL			1					
HATBOX, RIOT CROWD	2					1		
HELICOPTER, FLIGHT TRAINER								
HELICOPTER, FLIGHT TRAINER TH65A			1					
HELICOPTER, MEDEVAC					1			
HELICOPTER, OBSERVATION					3			
HELICOPTER, SEARCH AND RESCUE		2						
HELICOPTER, UTILITY			1					
HELMET, POLICE	1		3					
HELMET, SAFETY								
KIT, MECHANICAL BREIA	1							
KIT, RIOT PROTECTION	2							
LIGHT ARMORED VEHICLE	1							
MINE CLEARING VEHICLE			17		26			
MINE DETECTOR SYSTEM, VEHICLE MOUNTED					1			
MINE RESISTANT VEHICLE			3		2			
MISCELLANEOUS WEAPONS - LOGS&LSN			63		3			1
MODIFICATION KIT, GUN, WEAPON		1						
MOUNTION, CROWD CONTROL MODULAR, NON-LETHAL					1			
No Item Name Available								2
NON-BALLISTIC BODY SHIELD					1			
NON-LETHAL WEAPONS CAPABILITIES SET	1							
ONLY COMPLETE COMBAT/ASSAULT/TACTICAL WHEELED VEHICLES		2						1
PROTECTIVE SHIELD, T						1		
RAM, BATTERING	1							
RAM, DOOR, MINI	1							1
RIOT CONTROL SHIELD	1							
SECURITY VEHICLE			1					

	A	B	C	D	E	F	G	H
SHIELD, PERSONAL PROTECTIVE								
SHIELD SELF-PROTECTION				1				3
SHOP EQUIPMENT, CONTACT MAINTENANCE	1							6
SHOP SET, CONTACT MAINTENANCE, TRUCK MOUNTED (ENGINEER)	1		2					
SHOP SET, CONTACT MAINTENANCE, TRUCK MOUNTED (ORDNANCE)	1							
SIGHT THERMAL								
SL EDGE HAMMER				1				
TOOL, BREAKER, HINGE	1							
TRAINING KIT, DEMOLITION	1							
TRUCK TRACTOR		1						
TRUCK, AMBULANCE			4				5	7
TRUCK, ARMORED			9					
TRUCK BOLSTER			3					
TRUCK, BOMB SERVICE						2		1
TRUCK CARGO			2			2		
TRUCK CARRYALL		3	28				17	30
TRUCK COMMAND RECONNAISSANCE			22					1
TRUCK DUMP			2					
TRUCK MAINTENANCE			2			6		7
TRUCK, MATERIALS HANDLING-CONTAINER HOISTING						3		
TRUCK, PALLETIZED LOADING			1					
TRUCK, PANEL			8					2
TRUCK, STAKE			2					
TRUCK, TANK								2
TRUCK, UTILITY			5				13	8
TRUCK, VAN			84					4
TRUCK WRECKER		1					14	1
TRUCKS AND TRUCK TRACTORS, DEMIL C		1	2				3	2
UNMANNED AIRCRAFT			1					1
UNMANNED VEHICLE			1					
UP ARMORED NTVS			1					
UTILITY VEHICLE, OFF ROAD	1		2	1	1	1	1	1

RESOLUTION NO. 79-2020
AUTHORIZING THE BOROUGH OF SEA BRIGHT
TO ENTER INTO AN AGREEMENT WITH
THE AFFORDABLE HOUSING ALLIANCE

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

WHEREAS, under the authorization of the New Jersey Fair Share Housing Act (N.J.S.A.52:27D-301, et seq., hereafter the "Act") the Borough is implementing a program to provide qualified affordable housing units to low and moderate income households desiring to live within the Borough; and

WHEREAS, a Title 5, Chapter 80, Subchapter 26 of the New Jersey Administrative Code, the State has promulgated affordability controls in regulations designated to implement the Act, by assuring that low and moderate income units that are created under the Act are occupied by low and moderate income households for an appropriate period of time (the "Rules"); and

WHEREAS, Section 5:80-26.14 of the Rules provides that affordability controls may be administered by an administrative agent acting on behalf of a Borough; and

WHEREAS, the Borough has selected Affordable Housing Alliance to be the Administrative Agent for the purposes of providing affordability control services for all affordable housing within the Borough as outlined in the contract attached hereto for an amount not to exceed \$10,000.00 per calendar year; and

WHEREAS, the term of said agreement shall become effective, nunc pro tunc, the 1st day of March, 2020 and shall terminate on the 31st day of December, 2021.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, has certified that funds in the amount of \$5,000.00 will be available in 2020 Budget under General Administration, Contractual Services for the purpose stated herein.

MICHAEL J. BASCOM, CFO

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, do hereby authorize the Mayor and Borough Clerk to execute an agreement with the Affordable Housing Alliance for an amount not to exceed \$10,000.00 per calendar year effective, nunc pro tunc, March 1, 2020 through December 31, 2021; and

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

1. Affordable Housing Alliance
2. Christine Cofone, Borough Planner
3. Roger McLaughlin, Borough Attorney

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

March 16, 2020

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 March 16, 2020.

Christine Pfeiffer, Borough Clerk



THIS AGREEMENT, entered into as of this the 1st day of March, 2020,

BETWEEN

Borough of Sea Bright a Borough and instrumentality of the State, having offices at 1167 Ocean Ave, Sea Bright, NJ 07760 hereinafter called the "*Borough*"; and

Affordable Housing Alliance having offices at 3535 Route 66, Parkway 100 Building 4, Neptune, NJ 07753 hereinafter called the "*Administrative Agent*."

WITNESSETH

WHEREAS, under authorization of the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301, *et seq.*, hereinafter the "Act") the Borough is implementing a program to provide qualified affordable housing units to low- and moderate-income households desiring to live within the Borough; and

WHEREAS, at Title 5, Chapter 80, Subchapter 26 of the New Jersey Administrative Code, the State has promulgated affordability controls in regulations designed to implement the Act, by assuring that low- and moderate-income units that are created under the Act are occupied by low- and moderate-income households for an appropriate period of time (the "Rules"); and

WHEREAS, Section 5:80-26.14 of the Rules provides that affordability controls may be administered by an administrative agent acting on behalf of a Borough; and

WHEREAS, the Borough has selected Affordable Housing Alliance to be the Administrative Agent for the purposes of providing affordability control services for all affordable housing within the Borough ~~has~~ included in this contract.

NOW THEREFORE, subject to Court's approval, the Borough and the Administrative Agent hereby agree to the following terms and conditions:

Section 1. Term

This Agreement shall become effective as of the 1st day of March, 2020, and shall have a term of *22 months*, terminating at the close of business on the 31st day of December, 2021 subject to the termination and renewal provisions set forth in *Section 4*, below.

Section 2. Applicability and Supersession

This Agreement shall define and govern all terms between the parties with respect to affordability controls for affordable housing units provided under the Act, and shall supersede all prior agreements or documents related thereto.

Section 3. Agency and Enforcement Delegation

The Borough and the Administrative Agent acknowledge that under the Rules, the Administrative Agent is acting hereunder primarily as an agent of the Borough. Anything herein to the contrary notwithstanding, however, the Borough hereby delegates to the Administrative Agent, and the Administrative Agent hereby accepts, primary responsibility for enforcing substantive provisions of the Act and the Rules. The Borough, however, shall retain the ultimate responsibility for ensuring effective compliance with the Rules and the Administrative Agent will come under the supervision of the Municipal Housing Liaison.

Section 4. Termination and Renewal

- (1) The Agreement may be terminated by either party, by giving 2 months advanced written notice to the other, to the address and in the form as set forth in *Section 8*, below, provided however, that no such termination may take effect unless and until an alternate Administrative Agent has been selected by the Borough and approved by all required governmental authorities.
- (2) Unless terminated, this Agreement shall automatically be renewed for 1 successive term of 2 years each.

Section 5. Assignment of Affordable Housing Units

For the term hereof, and without exception, this Agreement shall govern the provision of affordability control services for the following affordable housing units located within the Borough that fall under the jurisdiction of the Act:

Scattered Municipal Affordable Deed Restricted For Sales Units (Market to Affordable)

Scattered Municipal Affordable Rental Units (Market to Affordable)

Section 6. Responsibilities of the Administrative Agent

The Administrative Agent shall perform the duties and responsibilities of an administrative agent as are set forth in the Rules, including those set forth in Sections 5:80-26.14, 16 and 18 thereof, which includes:

- (1) Affirmative Marketing
 - (a) Conducting an outreach process to insure affirmative marketing of affordable housing units in accordance with the Affirmative Marketing Plan for the Borough of Sea Bright and the provisions of N.J.A.C. 5:80-26.15;

- (b) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved ; and
- (c) Providing counseling or contracting to provide counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

(2) Household Certification

- (a) Soliciting, scheduling, conducting and following up on interviews with interested households;
- (b) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
- (c) Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
- (d) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et. seq.;
- (e) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and
- (f) Employing a random selection process as provided in the Affirmative Marketing Plan of the Borough when referring households for certification to affordable units.

(3) Affordability Controls

- (a) Furnishing to attorneys or closing agent forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
- (b) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
- (c) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the appropriate county's register of deeds or county clerk's office after the termination of the affordability controls for each restricted unit;
- (d) Communicating with lenders regarding foreclosures; and

- (e) Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.
- (4) Resale and rental
- (a) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or rental; and
 - (b) Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or re-rental.
- (5) Processing requests from unit owners
- (a) Reviewing and approving requests from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership;
 - (b) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the cost of central air conditioning systems;
 - (c) Notifying the Borough of an owner's intent to sell a restricted unit; and
 - (d) Processing requests and making determinations on requests by owners of restricted units for hardship waivers.
 - (e) Any and all "Alternative Living Arrangements" (i.e., Group Homes) constructed within Borough of Sea Bright after the date of this agreement; and
 - (f) Any and all dwelling units (i.e., single-family detached, 2-family side-by-side or duplex, defined "accessory apartment", townhouse and/or apartment unit) constructed or renovated within Borough of Sea Bright after the date of this agreement for occupancy by an eligible low-or-moderate income household.
- (6) Enforcement
- (a) Securing annually from the Borough lists of all affordable housing units for which tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;
 - (b) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in

any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;

- (c) The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent can be made;
 - (d) Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
 - (e) Establishing a program for diverting unlawful rent payments to the Borough's affordable housing trust fund or other appropriate municipal fund approved by the DCA;
 - (f) Establishing a rent-to-equity program;
 - (g) Creating and publishing a written operating manual, as approved by the court or other designated party, setting forth procedures for administering such affordability controls; and
 - (h) Providing annual reports to the Borough, as required, so the Borough may comply with the monitoring requirements the courts may establish.
- (7) The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.

Section 7. Responsibilities of the Borough

The Borough shall:

- (1) Provide to the Administrative Agent the name, title and telephone number of the municipal official designated as the Municipal Housing Liaison to the Administrative Agent on all matters related to this Agreement;
- (2) Ensure that applicable local ordinances are not in conflict with, and enable efficient implementation of, the Rules and the provisions of this Agreement;
- (3) Monitor the status of all restricted units in the Borough's Fair Share Plan;
- (4) Compile, verify, and submit annual reports as required by NJDCA, NJHMFA or the court or designee;
- (5) Coordinate meetings with affordable housing providers and Administrative Agents, as applicable;
- (6) Develop an Affirmative Marketing Plan and distribute to the Administrative Agent;

- (7) Ensure that all restricted units are identified as affordable within the tax assessor's office and any Municipal Utility Authority (MUA). The Borough and MUA shall promptly notify the Administrative Agent of a change in billing address, payment delinquency of two billing cycles, transfer of title, or institution of a writ of foreclosure on all affordable units; and
- (8) Provide all reasonable and necessary assistance to the Administrative Agent in support of efforts to enforce provisions of the Act, the Rules, deed covenants, mortgages, court decisions or other authorities governing the affordability control services to be provided under the Agreement.

Section 8. Payment for Services: The Alliance will independently bill for the following services and these fees will be in addition to those directly charged to Borough of Sea Bright in execution of this contract. Direct billing will be made to the owner or developer as follows:

- a.) New construction - rental or for sale = \$2,250 per unit paid for by the developer upon the execution of a marketing contract endorsed prior to the release of the building permit. Certified referrals are provided until all units are sold or leased up.
- b.) Resale of existing units = \$1,060 paid at closing by the seller/owner of the unit. A \$300 deposit is due from the owner in order to list the home for sale.
- c.) Rental re-lease = \$585 paid by landlord
- d.) Refinance of for sale unit = \$500 paid at loan closing by owner

The Borough agrees to enforce this policy and make it a requirement of all agreements for the construction and management of affordable units in the Borough. In addition to these fees the Borough agrees to pay the Alliance a lump sum fee of \$10,000 per year which will be billed at the signing of the contract and invoiced directly to the Borough for any consecutive years. Postage and supplies for specialized items, mailing and notices are also billed to Borough and these expenses are billed as expended but not to exceed \$250.

Section 9. Notices

All notices and other written communications between the Borough and the Administrative Agent shall be to the addresses and personnel specified below:

if to the Borough:

*Borough of Sea Bright
1167 Ocean Ave, Sea Bright, NJ 07760*

if to the Administrative Agent:

*Affordable Housing Alliance
3535 Route 66, Parkway 100 Building 4, Neptune, NJ 07753*

Section 10. Non-Waiver of Conditions

The failure of either party to insist upon strict performance of any provision of this Agreement in any one or more instances shall not constitute a consent to waiver of or excuse for any other different or subsequent breach of the same or other provision, nor as a result shall either party

relinquish any rights which it may have under this Agreement. No terms or provisions hereof shall be deemed waived and no breach excused unless such waiver or consent is in writing and signed by the waiving party.

Section 11. Merger and Amendment

This written Agreement, together with its Exhibits, constitutes the sole agreement between the parties with respect to the matters covered therein, and no other written or oral communication exists which shall bind the parties with respect thereto, provided however that this Agreement may be modified by written amendments clearly identified as such and signed by both the Borough and the Administrative Agent.

Section 12. Partial Invalidation of Agreement

Should any provision of this Agreement be deemed or held to be invalid, ineffective or unenforceable, under present or future laws, the remainder of the provisions shall remain in full force and effect.

IN WITNESS WHEREOF, the Borough and the Administrative Agent have executed this Agreement in triplicate as of the date first above written.

Section 13. Political Contribution Disclosure

This contract has been awarded to Affordable Housing Alliance based on the merits and abilities of Affordable Housing Alliance to provide the goods or services as described herein. This contract is not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that Affordable Housing Alliance, its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the Borough of Sea Bright, Monmouth County if a member of that political party is serving in an elective public office of the Borough of Sea Bright, Monmouth County when the act is awarded or to any candidate committee of any person serving in an elective public office of the Borough of Sea Bright, Monmouth County when the contract is awarded.

Borough of Sea Bright

BY _____
Brian P. Kelly, Mayor

Affordable Housing Alliance

BY _____
Donna M. Blaze, CEO

ACKNOWLEDGEMENTS

On this the ____ day of _____, 20__ before me came _____ known and known to me to be the _____ of _____, the Borough identified as such in the foregoing Agreement, who states that (s)he is duly authorized to execute said Agreement on behalf of said Borough, and that (s)he has so executed the foregoing Agreement for the purposes stated therein.

NOTARY PUBLIC

On this the ____ day of _____ before me came Donna M. Blaze, known and known to me to be the CEO of , the Affordable Housing Alliance, the Administrative Agent identified as such in the foregoing Agreement, who states that (s)he has signed said Agreement on behalf of said Administrative Agent for the purposes stated therein.

NOTARY PUBLIC



affordable housing alliance

Hope. Strength. Community.

AHPNJ ADMINISTRATIVE AGENT 2020 Certification Fee Schedule

Project Type	New Construction (For Sale & Rentals)	Re-Sale	Re-Rental	Refinance	Rehab
Billable Entity	Developer	Owner	Landlord	Owner	Municipality
Fees (<u>per unit</u>)	\$2,250	\$1,060	\$585	\$500	\$450

RESOLUTION NO. 80-2020
AUTHORIZING REQUESTS FOR PROPOSALS
FOR PROFESSIONAL SERVICES

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

WHEREAS, the Borough Council is desirous of receiving proposals for the following:

- a) Professional Appraisal Services to Defend the 2020 State Tax Court Appeals
- b) Preparation of the 2020 Added Assessment Tax List

WHEREAS, specifications for the aforesaid items will be on file in the Borough Clerk's Office and will be available for inspection.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth that it does hereby authorize the Borough Clerk to advertise for requests for proposals for the aforesaid items as per the specifications on file and will be received by the Borough Tax Assessor, 1167 Ocean Avenue, Sea Bright, New Jersey no later than 12:00 noon on April 24, 2020; and

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

- 1. Finance Manager
- 2. CFO
- 3. Tax Assessor

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

March 16, 2020

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 March 16, 2020.

Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 81-2020
AUTHORIZING RECEIPT OF BIDS
2020/2021 SURF CAMP**

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

WHEREAS, on October 15, 2019 the Borough Council of the Borough of Sea Bright authorized the receipt of bids for the operation of businesses on the municipal beach during the 2020 season; and

WHEREAS, the Borough Clerk did duly advertise on October 31, 2019 to receive bids on December 6, 2019 for the operation of the following businesses on the municipal beach during the 2020 season:

- Skim Board Camps
- Surf Camps
- Yoga Classes
- Umbrella/Chair Rentals
- Volleyball Leagues; and

WHEREAS, in connection therewith the Borough Council determined it would better serve the Borough to reject the five (5) bids received and re-bid with the option of a one **or** two-year lease for the 2020 and 2021 seasons; and

WHEREAS, the Borough Clerk did duly re-advertise on February 6, 2020 to receive bids on February 21, 2020, for vendors to conduct the above-mentioned businesses on the Sea Bright Municipal Beach with the option of a one or two-year lease agreement; and

WHEREAS, in connection therewith no bids were received for Surf Camp; and

WHEREAS, the Borough Council finds that there should be a re-advertisement for bids for the operation of a Surf Camp on the Municipal Beach during the 2020 and/or 2021 season.

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 Borough Clerk be and is hereby authorized and directed to re-advertise for sealed bids for the operation of a Surf Camp on the Municipal Beach during the 2020 and/or 2021 seasons for receipt on a date to be determined; and.

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

1. Beach Manager

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

March 16, 2020

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 March 16, 2020.

Christine Pfeiffer, Borough Clerk

RESOLUTION No. 82-2020
AMENDING RULES AND REGULATIONS OF THE
PARKING REVENUE SYSTEM
BOROUGH OF SEA BRIGHT

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

WHEREAS, the Borough Council authorized the acquisition and installation of a Parking Revenue System, including signage and parking lot improvements, and including all work and materials necessary therefor and incidental thereto for the Borough of Sea Bright by Ordinance #08-2016; and

WHEREAS, the Borough Council may amend certain rules and regulations as needed to effectuate a pay to park system; and

WHEREAS, the Borough Council wishes to amend the Pay to Park Plan components as follows:

1. Operation Dates: May 15 through September 15
2. Cost: \$1 per hour Monday – Friday; \$2 per hour Saturday and Sunday; and

WHEREAS, the Borough Council has reviewed the amendments and wish to enforce the changes for the 2020 pay to park season.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey hereby approve the revised pay to park plan, attached hereto, for Municipal Parking in the Borough of Sea Bright to be effective in the 2020 season; and

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

1. Borough Administrator
2. Borough Police Chief
3. Department of Public Works

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

March 16, 2020

CERTIFICATION

I, Christine Pfeiffer, Borough Clerk 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 March 16, 2020.

Christine Pfeiffer, RMC

Pay to Park Plan - Borough of Sea Bright



Overview:

Sea Bright utilizes a pay to park system for its Municipal lots to generate additional town revenue from user fees, help create turnover to aid businesses from all day parking and provide greater access to our beaches.

Plan Components:

1. Utilize municipality controlled parking areas for a pay to park system.
2. *Seasonal operation will be from May 15 through September 15.*
3. Hours of operation will be from 9am-9pm.
4. During storm emergencies pay parking can be suspended by the Mayor, Borough Council, and/or Chief of Police.
5. Payment can be made at a kiosk or by a smart phone application. Kiosks will take cash or credit cards.
6. *The cost will be \$1.00 per hour Monday through Friday and \$2.00 per hour on weekends (Saturday and Sunday).*
7. Pay to Park violations will be at the same rate that currently exists for business parking violations.
8. Ocean Avenue apartment residents will be issued a sticker for all vehicles registered to that address to be affixed to the vehicle.
9. Special officers will be trained in parking enforcement, to also collect revenue and make minor repairs to the kiosks and will be dedicated to two hour parking enforcement.
(rev. Res No. 116-2016 on 7/5/2016)
10. Numbering system will be painted on asphalt surfaces and gravel lots will have wheel stops with numbers.

Approved May 17, 2016 - Resolution No. 91-2016
Amended July 5, 2016 - Resolution No. 116-2016
Amended February 19, 2019 – Resolution No. 48-2019
Amended March 16, 2020 – Resolution No. -2020

RESOLUTION NO. 83-2020
2020 BOROUGH FEE SCHEDULE

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

WHEREAS, the Borough Council had established the "Code of the Borough of Sea Bright, 1998" to annually renew all fee schedules by resolution as referenced in each Chapter; and

WHEREAS, the Borough Council approved Resolution No. 25-2020 at the Re-organization Meeting held on January 4, 2020 establishing the fee schedules for the year 2020;

WHEREAS, the Borough Council wishes to amend the following fee schedule for the year 2020 as referenced below:

SECTION II
CHAPTER 201 - "VEHICLES AND TRAFFIC"
ARTICLE I - Traffic and Parking
Section 201-8.1. - Pay-to-park areas.

Parking of vehicles in municipally regulated pay-to-park areas shall be permitted at such rates for paid parking as set forth in rules and regulations adopted by resolution of the Mayor and Council of the Borough of Sea Bright.

Monday - Friday	\$1.00/per hour
Saturday-Sunday	\$2.00/per hour

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the fee schedule above for pay-to-park areas within the Borough for the year 2020 is hereby approved effective immediately.

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

1. Administrative Assistant
2. Public Works Department
3. Police Department

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

March 16, 2020

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 March 16, 2020.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 84-2020
AMENDING PERSONNEL POLICIES AND PROCEDURES
BOROUGH OF SEA BRIGHT

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

WHEREAS, it is the policy of the Borough of Sea Bright to treat employees and prospective employees in a manner consistent with all applicable Federal and State employment laws and regulations; and

WHEREAS, on May 7, 1996 the Borough Council adopted Ordinance No. 39-1996 establishing the personnel Policies and Procedures Manual/Handbook for Borough employees; and

WHEREAS, the provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Borough of Sea Bright; and

WHEREAS, the Borough of Sea Bright hereby amends the Personnel Policies and Procedures Manual as follows:

Chapter Three - Paid and Unpaid Time Off Policies, Section C – Vacation Leave Policy, amend the following paragraph:

*"Extra compensation instead of unused vacation will not be permitted. In special circumstances with the approval of the Borough Personnel Committee and the Department Head, annual vacation leave not to exceed five (5) days may be carried into the next calendar year and must be used by ~~March 31~~ **June 30** or shall be forfeited. Any leave thereafter will be cancelled."*

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the Personnel Policies and Procedures Manual is hereby amended as hereinabove stated; and

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Borough officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail; and

BE IT FURTHER RESOLVED that the Borough Administrator is responsible for these employment practices and the Municipal Clerk and Finance Manager shall assist the Borough Administrator in the implementation of the policies and procedures in this manual.

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

March 16, 2020

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 March 16, 2020.

Christine Pfeiffer, Borough Clerk RMC

RESOLUTION NO. 85-2020
AUTHORIZING SEWERAGE RATES AND CHARGES FOR
THIRD AND FOURTH QUARTERS OF 2020 AND
FIRST AND SECOND QUARTERS OF 2021

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

WHEREAS, the Governing Body of the Borough of Sea Bright authorize the rates and charges of the municipal public utility for sewerage; and

WHEREAS, any previous schedule of charges adopted by the Mayor and Council of the Borough of Sea Bright which are inconsistent herewith are hereby rescinded.

WHEREAS, the rates and charges for the utilities are as follows:

1. The 2020 third and fourth quarters and the 2021 first and second quarters sewerage rate will be \$10.75 for every 1,000 gallons of water consumed by the customer.

2. The charges shall be due and payable in 2020/2021 within 10 days after the due date of the municipal sewer utility bill. If the bill is not timely paid, the outstanding bill shall be considered a municipal charge and shall be subject to the same rate of interest which accrues on delinquent taxes.

3. Billing Schedule:

1. First quarter billing shall be mailed during April for consumption billed by the water company from mid-December thru mid-March;
2. Second quarter billing shall be mailed during July for consumption billed by the water company from mid-March thru mid-June;
3. Third quarter billing shall be mailed in October for consumption billed by the water company from mid-June thru mid-September;
4. Fourth quarter billing shall be mailed in January for consumption billed by the water company from mid-September thru mid-December.

4. Consumption shall be based upon the information provided to the Borough of Sea Bright Municipal Sewer Utility by the New Jersey American Water Company. The customers that are billed by the New Jersey American Water Company on a quarterly basis shall have their sewer charge based upon the quarterly water charges from New Jersey American Water Company. Those customers that are billed on a monthly basis by New Jersey American Water Company shall have their bills based upon their water consumption.

5. All customers of the municipal sewer utility shall be billed for at least 10,000 gallons quarterly. This minimum charge shall be \$107.50.

6. The consumption charges shall be billed to the metered townhouse or condominium association or corporation for payment.

7. If any section, subsection, paragraph, sentence or other portion of this Resolution shall be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the sewer utility schedule of rates and charges outlined above is hereby adopted and the utility is authorized to publish a notice of final adoption of said Resolution; and

BE IT FURTHER RESOLVED, a copy of the sewer utility schedule of rates and charges shall be available for public inspection during normal business hours at the office of the Tax/Sewer Utility Collector at 1167 Ocean Avenue, Sea Bright, New Jersey; and

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Sea Bright that they hereby authorize the utility to forward a copy of said Resolution of rates and charges to the customers of the utility at the utility's discretion.

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

March 16, 2020

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 March 16, 2020.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 86-2020
REFUND OF 2020 TAX OVERPAYMENT
BLOCK 29, LOT 25

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

WHEREAS, an overpayment was made by John Salzano for 2020 property taxes in
the amount of \$3,352.81 for Block 29, Lot 25, 45 Normandie Place; and

WHEREAS, the tax overpayment should be refunded to John Salzano; and

BLOCK	LOT	PAYER NAME	AMOUNT	REASON
29	25	John Salzano	\$3,352.81	Overpayment

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of
Sea Bright, County of Monmouth, State of New Jersey, that it does hereby authorize
the Tax Collector and the Finance Manager to refund the said 2020 tax overpayment
of \$3,352.81 to John Salzano, and

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

1. Tax Collector
2. Finance Manager
3. John Salzano

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

March 16, 2020

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
March 16, 2020.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 87-2020
AUTHORIZING A REFUND FOR A
PERSON-TO-PERSON TRANSFER FEE
OF LIQUOR LICENSE #1343-33-008

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

WHEREAS, the Borough of Sea Bright received an application on September 3, 2019 for a person-to-person transfer of Plenary Retail Consumption Liquor License, Number 1343-33-008, from Superstar Enterprises Inc. t/a The Cove, 1250 Ocean Avenue, Bright, New Jersey to C&J Liquid Investments LLC; and

WHEREAS, the \$240.00 municipal fee for the person-to-person transfer was received with the application; and

WHEREAS, the Borough Clerk received an email dated March 2, 2020 from Jason C. Mandia, Esq. requesting, on behalf of his client C&J Liquid Investments LLC, that the transfer application be withdrawn; and

WHEREAS, the applicant has requested a refund of the \$240.00 municipal fee; and

WHEREAS, the Borough Council agree that the payment of \$240.00 be refunded.

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 a refund of the \$240.00 municipal fee for the withdrawn person-to-person transfer application of Plenary Retail Consumption Liquor License, Number 1343-33-008; and

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

1. Finance Manager
2. Stone Mandia, L.L.C.

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

March 16, 2020

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 March 16, 2020.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 88-2020
DONATION 2020 BEACH BADGES
BOROUGH OF SEA BRIGHT

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

WHEREAS, the Governing Body of the Borough of Sea Bright wish to support the fundraising efforts for the local organization listed below by donating four (4) 2020 beach badges as requested:

1. Friends of JJ **2 Badges**
Gift Auction – May 1, 2020

2. All Saints Memorial Church **2 Badges**
Gift Auction – May 9, 2020

WHEREAS, the Borough Auditor has been informed and advised that a resolution should be considered in order to donate 2020 Season Beach Badges.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey authorize the donation of four (4) 2020 Season Beach Badges for the aforementioned charitable organizations; and

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

1. Borough Administrator
2. Borough Auditor
3. Individual Requestors

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

March 16, 2020

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 March 16, 2020.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 89-2020

Resolution Re-Affirming Opposition to the Northeast Supply Enhancement Project and Requesting the New Jersey Department of Environmental Protection to Extend the Public Comment Period and Conduct a Public Hearing in the Bayshore Area

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

WHEREAS, Williams-Transco is proposing to build a 23.4 mile methane gas pipeline through the Raritan Bay, Lower New York Bay, and Atlantic Ocean from Old Bridge, New Jersey to Rockaway, New York; called the Northeast Supply Enhancement Project; and

WHEREAS, the alleged purpose of the proposed project is to transport 400 million cubic feet of methane gas, extracted through the environmentally destructive process of hydraulic fracturing, from the Marcellus Shale to New York thereby significantly contributing to climate change; and

WHEREAS, on January 21, 2020 Williams-Transco submitted a new application for the proposed project to the New Jersey Department of Environmental Protection, which marks the fourth time the applicant has sought approval by the Department for the project; and

WHEREAS, the project will in no way serve the interests of the State of New Jersey, or its residents, and will only supply climate-altering-methane-gas to Brooklyn, Queens and Long Island New York; and

WHEREAS, the Williams/NESE pipeline will have severe negative impacts to the Raritan and Lower New York Bays, such as disruption of roughly 14,165 acres of the seabed of the Raritan Bay, the discharge of 690,000 gallons of drilling fluid and chemicals into the bay, the re-suspending over 1,090,000 tons of toxic muck contaminated by PCBs, dioxin, lead, mercury, and arsenic, and the destruction of over 1,000 acres of benthic habitat that houses marine fish, shellfish, and larva; and

WHEREAS, the project poses serious concerns related to environmental harm to marine and coastal ecosystems, as well as negative impacts to the safety, health and wellbeing of Bayshore coastal communities, resulting in well documented public opposition; and

WHEREAS, the Williams/NESE pipeline will endanger marine and wildlife through decreased water quality from re-suspended toxins, the sieving of over 3.5 million gallons of seawater destroying any living thing that is caught in the process, and the creation of loud sounds and powerful vibrations that accompany pipeline development which will impact migration patterns, communication systems and other important biological processes; and

WHEREAS, the Williams/NESE pipeline will adversely impact industries important to the New Jersey Bayshore communities, disturb commercial and recreational fishing and shell fishing activities, and potentially damage the tourism industry; and

WHEREAS, on June 5, 2019, the New Jersey Department of Environmental Protection denied Williams-Transco's application for the development of the pipeline based, in part, on the significant impacts to the water quality and ecosystem of the Raritan and Lower New York Bay; and

WHEREAS, Williams-Transco is seeking to dump over 735,000 cubic yards of contaminated dredged material produced from the construction of the NESE pipeline off the coast of New Jersey at the Historic Area Remediation Site which was designed to remediate the former Mud Dump Site; and

WHEREAS, the ocean disposal of the contaminated material would harm the marine environment by leaving the contaminated sediment exposed and subject to bioaccumulation in the food chain, and would utilize the limited remaining capacity at the Historic Area Remediation Site which must be preserved for needed maintenance dredging for navigational projects; and

WHEREAS, the Williams/NESE pipeline will have significant upstream environmental impacts that will directly harm the Raritan Bay, such as negatively affecting 41 acres of wetlands, including approximately 20 acres of forested wetland; and

WHEREAS, the NESE project also calls for the construction of a new methane-gas-powered compressor station in Franklin Township, called Compressor Station 206 which will emit known harmful air pollutants such as Carbon Monoxide, Particulate Matter 2.5, Nitrogen Oxides, Sulfur Dioxide, Volatile Organic Compounds, and Formaldehyde; and

WHEREAS, New Jersey has never achieved federal air quality standards for ground-level ozone, which is a pollutant that is unhealthy for children, the elderly and those with respiratory ailments, and the construction of the proposed Compressor Station 206 will further reduce air quality by increasing ground-level ozone; and

WHEREAS, the American Lung Association's 2019 "State of the Air" report gave Monmouth County an F for the second consecutive year for ozone pollution, and notes that ozone can cause respiratory problems, including worsening of asthma and other respiratory diseases, and cardiovascular effects, including cardiac arrhythmia, heart attacks, and stroke; and

WHEREAS, despite being directly affected by the proposed Williams/NESE pipeline, the New Jersey Department of Environmental Protection has failed to conduct a public hearing in the Bayshore area on the proposed project during any of the previous three permit evaluations; and

WHEREAS, the Williams/NESE pipeline will increase dependency on fossil fuels, thereby contributing significantly to climate change through increased carbon dioxide and methane emissions; and

WHEREAS, the companies Williams and associate Transcontinental Gas Pipeline Company (Transco) demonstrate a history of mismanaged facilities that resulted in explosions and fires, and do not show results of pipeline tests to governing bodies in any municipalities through which the existing pipeline runs.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, hereby re-affirms its strong opposition to the construction and installation of a 23.4 mile methane gas pipeline through Raritan Bay from Old Bridge, New Jersey, to Rockaway, New York. Construction of the pipeline will negatively impact the health of the Bayshore, coastal ecosystems, marine life, benthic habitats, and coastal communities.

Be It Further Resolved, that the Borough of Sea Bright urges the company Williams-Transco to eliminate any further consideration for a pipeline.

Be It Further Resolved, that the Borough of Sea Bright urges the New Jersey Department of Environmental Protection to deny any permit application for the project and any other pipeline, and urges its representatives of the New Jersey Legislature, United States Congress and United States Senate, as well as the Governor of New Jersey to oppose this pipeline and the current applications pending at the state and federal level.

Be It Further Resolved, that the Borough of Sea Bright urges the New Jersey Department of Environmental Protection to extend the public comment period for the pending applications related to the proposed NESE Project by sixty days as to allow for increased public engagement.

Be It Further Resolved, that the Borough of Sea Bright urges the New Jersey Department of Environmental Protection to conduct a public hearing on the proposed NESE Project in the Bayshore area to allow for the residents, whom will be directly adversely affected by the proposed pipeline, to voice their opinions on the applications.

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

1. Governor Philip D. Murphy
2. Commissioner Catherine R. McCabe, New Jersey Department of Environmental Protection
3. Joslin Tamagno, Environmental Supervisor of the NJDEP Division of Land Use Regulation
4. Senator Declan O'Scanlon
5. Assemblywoman Amy Handlin
6. Assemblywoman Serena DiMaso
7. Clean Ocean Action

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

March 16, 2020

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 March 16, 2020.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 90-2020
BOROUGH OF SEA BRIGHT
PLEDGING TO SUPPORT THE NEW JERSEY WILDLIFE ACTION PLAN

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

WHEREAS, New Jersey is home to a rich diversity of wildlife and ecologically significant natural communities; and

WHEREAS, New Jersey's wildlife and wild places are under threat from development, fragmentation, invasive species and the impacts of people; and

WHEREAS, the populations of mammals, birds, invertebrates, fish, reptiles and amphibians that live in and migrate through New Jersey find themselves clinging to smaller and smaller pieces of wild clean lands and aquatic habitats;

WHEREAS, it is more cost-effective to prevent species from becoming imperiled than it is to recover them once their populations have declined; and

WHEREAS, a naturally functioning and healthy ecosystem represents a healthy environment for NJ wildlife and our citizens; and

WHEREAS, the NJ Division of Fish and Wildlife, other state and federal agencies, and many partners in conservation have worked together to develop a state Wildlife Action Plan for the benefit of biologists, wildlife experts, municipal leaders, land stewards, non-profit organizations, educators, planners, researchers, outdoor recreation enthusiasts, landowners and all the people who know the wild places of New Jersey State; and

WHEREAS, the New Jersey Wildlife Action plan is a comprehensive action agenda for the conservation of native wildlife, the restoration of important lands and water, and public education targeting the needs of rare wildlife in New Jersey; and

WHEREAS, the residents of, and visitors to, New Jersey also enjoy and benefit from New Jersey's wildlife and wild spaces.

NOW THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey pledge to take the following steps with regard to our municipal land-use decisions with the intent of making the Borough of Sea Bright an ecologically sustainable community. It is our intent to include these principles in our public lands management, our environmental resources inventory and to inform the next master plan revision and update our zoning accordingly.

- We will identify imperiled species, critical habitat and unique ecosystems in our Environmental Resource Inventory.
- Acknowledging that it is more cost-effective to protect species than recover species, we will protect populations of rare and imperiled species that live and breed in, and migrate through, the municipality and the habitats they depend upon.
- Because habitat integrity is critical to healthy biodiversity we will manage publicly owned lands in accordance with wildlife management actions laid out in the New Jersey Wildlife Action Plan and will promote the management of all protected lands to promote biodiversity.
- We will protect wildlife habitats and maintain connectivity of habitat when formulating an open space acquisition strategy, open space stewardship plans and through the municipal master plan including planning and zoning ordinances.
- We will seek to minimize disturbance of critical wildlife populations and their habitats from human activities, subsidized predators and invasive species.

- When possible and appropriate, we will work with neighboring municipalities to implement the aforementioned principles across municipal boundaries.
- When possible and appropriate, we will strive to monitor and implement appropriate management of municipal easements to ensure native vegetation and wildlife takes precedence over invasive and/or exotic species.

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

1. Sustainable Jersey
2. Borough of Sea Bright Green Team
3. NJ Division of Fish and Wildlife

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

March 16, 2020

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 March 16, 2020.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 91-2020

**Borough of Sea Bright Urges the State of New Jersey to Hold
Fossil Fuel Companies Accountable for Flooding and Hurricane-Caused Damages**

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

WHEREAS, the Borough of Sea Bright is located in Monmouth County with approximately 1400 residents along the Atlantic Ocean; and

WHEREAS, the Borough of Sea Bright is greatly impacted by severe weather, flooding and related costs; and

WHEREAS, based on data from policy experts, economic analysts, energy modelers, data engineers, and environmental scientists, the 2019 Rhodium Report indicates that the sea surface temperature in the Northeast United States has warmed faster than 99% of the global ocean since 2004; and that New Jersey sea levels are rising by more than twice the global average; and

WHEREAS, it is estimated that Hurricane Sandy caused more than \$30 billion in damages within the State of New Jersey, destroying 72,000 homes statewide and in the Borough of Sea Bright 80% homes and businesses were destroyed and/or damaged; and

WHEREAS, in alignment with the need for the Borough of Sea Bright to protect itself against future super storms, in October 2019, Executive Order 89 outlined a statewide resilience plan to address the state's vulnerability to severe weather events, precipitation, and wind damage that cause disastrous consequences for public health and safety; and

WHEREAS, it is known that in the United States carbon dioxide (CO₂) emissions from burning fossil fuels amounted to 76% of total human-caused greenhouse gases (GHGs) and NASA explains the "greenhouse effect" as when carbon dioxide, methane and nitrous oxides trap heat in the atmosphere and cause temperatures to rise, known as "global warming;" and

WHEREAS, fossil fuel companies have knowingly produced, marketed, promoted, and sold fossil fuels over the last 50 years despite their contribution to global warming, without protecting or warning consumers about the dangers; and have spent millions of dollars on campaigns to obscure the truth to protect their own assets; and several major fossil fuel companies are advocating for immunity from lawsuits over climate change-related costs and damages and trying to eliminate municipalities' power to bring suit or assert specific causes of action; and

NOW THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, do hereby urge Governor Murphy to hold the fossil fuel industry financially accountable for their role in creating and perpetuating the climate crisis to ensure that the cost of adaptation and mitigation does not fall solely on the shoulders of taxpayers;

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to our representatives in Congress, the members of the New Jersey General Assembly and the State Senate, the Lieutenant Governor, the Governor of the State of New Jersey, and to the Attorney General of New Jersey.

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

March 16, 2020

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 March 16, 2020.

Christine Pfeiffer, RMC

RESOLUTION NO. 92-2020
**AUTHORIZING THE RELEASE OF THE FEASIBILITY STUDY OF THE
CREATION OF AN ALL-PURPOSE PK-12 REGIONAL SCHOOL DISTRICT**

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

WHEREAS, the Boroughs of Sea Bright, Atlantic Highlands, and Highlands have joined together to fund a feasibility study exploring the possibility of forming a new PK-12 school district; and

WHEREAS, the study has been completed and should be available for public review and discussion; and

WHEREAS, after the release of this study all three municipalities will have public meetings to allow for this discussion to take place with the professionals who prepared the report.

NOW THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey upon the affirmative vote of all three governing bodies approve the release of this document to the public on March 30, 2020 for further review and discussion.

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

1. Borough of Atlantic Highlands
2. Borough of Highlands
3. Vito Gagliardi & Kerri Wright

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

March 16, 2020

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 March 16, 2020.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 93-2020
AUTHORIZING AGREEMENT WITH JNM HOLDINGS, INC. FOR USE
OF PARKING LOT AT 1139 OCEAN AVENUE – BLOCK19, LOTS 2 & 2.01
FOR THE 2020 SUMMER SEASON

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

WHEREAS, the Borough of Sea Bright recognizes the need to increase parking within the Borough of Sea Bright during the summer season to better serve the needs and convenience of residents and the general public; and

WHEREAS, the Borough of Sea Bright and JNM Holdings, Inc. have agreed to use the premises known as 1139 Ocean Avenue (Block 19, Lots 2 & 2.01) for additional parking pursuant to Chapter 130- 49F, " Temporary Uses," of the Code of the Borough of Sea Bright; and

WHEREAS, the Borough Administrator negotiated an agreement with JNM Holdings, Inc., attached hereto, outlining the terms and conditions for the use of 1139 Ocean Avenue; and

WHEREAS, the Borough Administrator proposed that the fee to park in said lot should be \$20.00 per day and all vehicles must be removed from the lot by 8:00 am the following day or will be subject to towing; and

WHEREAS, the Borough Council of the Borough of Sea Bright wish to enter into such an agreement, effective immediately, for the operation of a temporary municipal parking lot at the rate of \$20.00/per day.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that it does hereby authorize the Borough Administrator to execute an agreement with JNM Holdings, Inc. for the use of the parking lot at 1139 Ocean Avenue according to the terms and conditions in the attached agreement during the 2020 summer season; and

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

1. Finance Manager
2. Beach Manager
3. Borough Attorney
4. JNM Holdings, Inc.

Roll Call: Birdsell, Catalano, Keeler, Leckstein, Rooney, Schwartz

March 16, 2020

Certification

I, Christine Pfeiffer, Borough Clerk, do hereby certify the foregoing is a Resolution adopted by the Borough of Sea Bright, in the County of Monmouth, State of New Jersey, at a Council Meeting held on March 16, 2020.

Christine Pfeiffer, Borough Clerk

**PARKING LOT AGREEMENT
WITH JNM HOLDINGS, INC.
BLOCK 19, LOTS 2 & 2.01 – 1139 OCEAN AVENUE**

FOR CONSIDERATION MUTUALLY EXCHANGED between JNM Holdings, Inc., 95 Avenue of Two Rivers, Rumson, New Jersey and the Borough of Sea Bright, this Agreement is made on this ___ day of April, 2020.

WHEREAS, both parties previously entered into an Agreement July 3, 2019 for the premises known as land which is designated as a portion of Block 19, Lots 2 & 2.01 on the Tax Map of the Borough of Sea Bright, at 1139 Ocean Avenue for parking and both parties desire to renew the Agreement for the 2020 summer season.

BOTH PARTIES AGREE, as follows:

1. The Borough will staff and utilize the lots for paid parking.
2. The Borough will stripe and provide signage.
3. The Borough will provide additionally named insured language for insurance purposes.
4. The Borough will reserve 10 (ten) parking spots for Chapel Beach Club staff and/or patrons each day until 12:00 o'clock noon or until an agreed upon time of mutual consent.
5. The cost of agreed upon expenses will be shared by both parties.
6. The parties will split the net proceeds equally.
7. The Borough will also add to our final payment to JNM Holdings, Inc., an amount equal to three months taxes. As agreed, we will revisit this issue if more usage occurs.

IN WITNESS WHEREOF, the parties have executed this agreement on the day and year first above written.

JNM Holdings, Inc.

Borough of Sea Bright

By: _____
Stephen Cutler

By: _____
Joseph L. Verruni, Borough Administrator

RESOLUTION NO. 94-2020
Introduction of the 2020 Municipal Budget
MUNICIPAL BUDGET NOTICE

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

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the Year 2020 and the Governing Body of the Borough of Sea Bright does hereby approve the following, as the Budget for the year 2020; and

BE IT FURTHER RESOLVED, that said Budget be published in the Asbury Park Press in the issue of March 25, 2020 and a Public Hearing be held in the Mayor Dina Long Community Room, Sea Bright Beach Pavilion, 1097 Ocean Avenue, Sea Bright, New Jersey on April 21, 2020 at 7:00 P.M. at which time objections to said Budget and Tax Resolution for the year 2020 may be presented by taxpayers or other interested parties.

RECORDED VOTE	Ayes	Nays	Abstained	Absent
COUNCILMEMBER KEVIN BIRDSALL				
COUNCILMEMBER SAMUEL A. CATALANO				
COUNCILMEMBER WILIAM J. KEELER				
COUNCILMEMBER MARC A. LECKSTEIN				
COUNCILMEMBER CHARLES H. ROONEY III				
COUNCILMEMBER JON SCHWARTZ				

March 16, 2020

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 March 16, 2020.

Christine Pfeiffer, Borough Clerk

ORDINANCE NO. 03-2020
AN ORDINANCE AMENDING AND SUPPLEMENTING THE
GENERAL CODE OF THE BOROUGH OF SEA BRIGHT,
CHAPTER 201 ENTITLED VEHICLES AND TRAFFIC

BE IT ORDAINED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, as follows:

SECTION ONE: Chapter 201, "Vehicles and Traffic", Article I, Traffic and Parking, Section 201-5, Regulations governing East Ocean Avenue, of the Code of the Borough of Sea Bright is hereby amended and supplemented to read in full as follows:

A. General parking.

(2) No person shall park a vehicle for longer than the time limit upon any of the streets or parts of streets described below (*Sunday through Saturday, including holidays*):

Name of Street	Side	Type	Location
<i>East Ocean Avenue except East Ocean Avenue</i>	<i>Both East</i>	<i>2-hour 30-minute, 6:00 a.m. to 6:00 p.m.</i>	<i>Entire length Between East Surf Street and East New Street</i>

SECTION TWO: Chapter 201, "Vehicles and Traffic", Article VI, Handicap Parking, Section 201-23, Restricted Parking Spaces, of the Code of the Borough of Sea Bright is hereby amended and supplemented to read in full as follows:

Parking spaces restricted to occupants of the following premises shall be maintained as follows:

Name of Street	Location
<i>4 Via Ripa</i>	<i>South side</i>

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

SECTION FOUR: 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 FIVE: This Ordinance shall take effect immediately upon its passage and publication as required by law.

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 March 16, 2020 and will be further considered after a Public Hearing held on April 7, 2020 at the Municipal Building at 8:30 am.

INTRODUCED: March 16, 2020
PUBLIC HEARING: April 7, 2020
ADOPTED:

Witness

BOROUGH OF SEA BRIGHT,

CHRISTINE PFEIFFER, CLERK

BRIAN P. KELLY, MAYOR

VOUCHER LIST
BOROUGH OF SEA BRIGHT
MARCH 16, 2020

2635	AFFORDABLE INTERIOR SYSTEMS		
19-01271	10/17/19 MUNICIPAL COMPLEX	Open	79,250.63
02113	AMERICAN WATER		
20-00378	03/13/20 WATER	Open	323.08
00519	ANTONIDES AND SIMONE CPA's		
20-00343	03/11/20 FISCAL	Open	3,312.50
2666	ATLANTIC FLOORING		
20-00281	02/27/20 MUNICIPAL COMPLEX	Open	710.00
2671	ATLANTIC SOLAR FILM		
20-00360	03/12/20 MUNICIPAL COMPLEX	Open	1,560.00
01042	ATLANTIC TOMORROWS OFFICE		
20-00354	03/12/20 A&E	Open	646.12
2664	AWE LEARNING		
20-00272	02/26/20 LIBRARY	Open	3,333.00
01241	BAIN'S HARDWARE, INC.		
20-00346	03/11/20 HARDWARE	Open	1,158.84
01957	BENEMAX BENEFIT MANAGEMENT CO.		
20-00320	03/03/20 HEALTH INSURANCE	Open	1,392.00
01974	BOROUGH OF SEA BRIGHT COURT		
20-00333	03/09/20 COURT	Open	69.16
02089	BUILDERS' GENERAL SUPPLY CO.		
20-00298	02/28/20 BEACH	Open	119.78
2670	CAPELA CONSTRUCTION		
20-00359	03/12/20 RIVERFRONT PARK PROJECT	Open	110,470.50
00256	CLEARY, GIACOBBE, ALFIERI &		
20-00342	03/10/20 LEGAL SERVICES	Open	443.00
20-00353	03/12/20 LEGAL	Open	1,035.00

			1,478.00
00198	COMCAST		
20-00367	03/12/20 INTERNET	Open	342.59
01799	CONNELL CONSULTING, LLC		
20-00262	02/25/20 POLICE	Open	119.00
01493	COOPERATIVE INDUSTRIES, L.L.C.		
20-00358	03/12/20 NATURAL GAS	Open	1,218.96
2591	DATA STRUCTION		
20-00309	03/02/20 POLICE	Open	375.00
2286	DIFRANCESCO, BATEMAN, KUNZMAN		
20-00379	03/13/20 LEGAL	Open	1,940.00
00419	DRAGER SAFETY DIAGNOSTICS, INC		
20-00368	03/12/20 POLICE	Open	179.00
2634	EXEMPLIS/SIT ON IT SEATING		
19-01270	10/17/19 MUNICIPAL COMPLEX	Open	21,117.70
00506	FARMER, JANE		
20-00332	03/09/20 LIBRARY	Open	228.00
00978	FRIEDMAN, BRETT		
20-00334	03/09/20 POLICE	Open	109.52
20-00338	03/10/20 POLICE	Open	515.99

			625.51
02101	GANNETT NJ		
20-00363	03/12/20 CLERK	Open	34.20
2381	HENDRICKS, ANDREW		
20-00319	03/03/20 POLICE	Open	126.82
2478	HOLISTIC WELLNESS, LLC		
20-00301	02/28/20 LIBRARY	Open	150.00

2517	INTERGLOBE COMMUNICATIONS		
20-00356	03/12/20 POLICE	Open	525.31
2573	JCP & L		
20-00345	03/11/20 ELECTRIC	Open	4,188.47
2488	JERSEY SHORE POWERSPORTS		
20-00312	03/03/20 BEACH	Open	1,650.00
20-00325	03/05/20 BEACH	Open	1,424.96

			3,074.96
01784	JUNGLE LASERS, LLC		
20-00361	03/12/20 BLDG DEPT	Open	370.00
2278	MCLAUGHLIN, STAUFFER & SHAKLEE		
20-00337	03/09/20 LEGAL SERVICES	Open	7,570.89
00106	MGL FORMS-SYSTEMS, LLC		
20-00365	03/12/20 FINANCE	Open	283.00
00531	MIDDLESEX COUNTY FIRE ACADEMY		
20-00152	02/03/20 FIRE	Open	414.00
00688	MONMOUTH COUNTY POLICE ACADEMY		
20-00261	02/24/20 POLICE	Open	2,500.00
00433	NATIONAL ENTERTAINMENT		
20-00330	03/05/20 RECREATION	Open	960.00
00019	NJ AMERICAN WATER		
20-00328	03/05/20 HYDRANTS	Open	2,530.00
00502	NJ STATE LEAGUE/MUNICIPALITIES		
20-00313	03/03/20 DPW	Open	115.00
00046	ONE CALL CONCEPTS, INC.		
20-00369	03/12/20 SEWER	Open	35.36
01662	ORIENTAL TRADING COMPANY		
19-01216	10/08/19 RECREATION	Open	373.14
2659	PIENCIAK, DANIEL		
20-00300	02/28/20 LIBRARY	Open	200.00
2330	RAW POWER GENERATOR SERVICE		
20-00113	01/28/20 BLDGS & GRDS.	Open	729.75
20-00246	02/19/20 BLDGS & GRDS	Open	951.00

			1,680.75
00533	RUTGERS, THE STATE UNIVERSITY		
20-00242	02/19/20 SEWER	Open	565.00
00463	RUTGERS, THE STATE UNIVERSITY		
20-00244	02/19/20 PLAN. BRD.	Open	327.00
2668	SALZANO, JOHN		
20-00331	03/09/20 TAX REFUND	Open	3,352.81
2667	SCALGIONE, ALESSANDRA		
20-00326	03/05/20 LIBRARY	Open	24.96
01554	SEA BRIGHT SERVICE CENTER		
20-00232	02/18/20 POLICE	Open	65.00
20-00257	02/24/20 POLICE	Open	684.90
20-00323	03/05/20 POLICE	Open	1,551.32

			2,301.22
01011	SEMCOR EQUIPMENT CORPORATION		
20-00245	02/19/20 DPW	Open	196.86
01933	SKYLANDS AREA FIRE EQUIPMENT		
19-01325	10/30/19 FIRE DEPT	Open	15,000.00
02225	STAPLES ADVANTAGE		
20-00265	02/25/20 OFFICE SUPPLIES	Open	309.63
20-00280	02/27/20 POLICE	Open	251.47
20-00289	02/27/20 OFFICE SUPPLIES	Open	152.29

			713.39
2636	STELLATO, ANTHONY		
20-00299	02/28/20 LIBRARY	Open	295.00

2672	STONE MANDIA, LLC		
20-00377	03/13/20 REFUND	Open	240.00
2535	SUBURBAN DISPOSAL, INC.		
20-00340	03/10/20 LANDFILL	Open	4,252.82
20-00341	03/10/20 TRASH REMOVAL	Open	19,918.84

			24,171.66
01931	SUBURBAN PROPANE		
20-00366	03/12/20 PROPANE	Open	239.32
00083	T & M ASSOCIATES		
20-00339	03/10/20 ENGINEER	Open	4,214.39
20-00370	03/12/20 ENGINEER	Open	5,356.21

			9,570.60
01285	THE HOME DEPOT		
20-00352	03/12/20 BEACH	Open	390.32
2438	THOMAS, SHAWN		
20-00357	03/12/20 A&E	Open	9.98
00331	TREASURER, STATE OF NJ		
20-00297	02/28/20 BLDGS & GRDS	Open	885.00
20-00324	03/05/20 TIDELANDS LICENSE	Open	200.00

			1,085.00
2291	VERIZON		
20-00362	03/12/20 POLICE	Open	104.99
2658	VERIZON		
20-00372	03/13/20	Open	342.92
2291	VERIZON		
20-00373	03/13/20 FIOS	Open	39.59
2658	VERIZON		
20-00374	03/13/20 PHONE	Open	220.93
20-00375	03/13/20 PHONE	Open	63.02

			283.95
02061	VERIZON WIRELESS		
20-00347	03/11/20 FIRE	Open	482.74
20-00364	03/12/20 POLICE	Open	652.37

			1,135.11
01164	WATCHUNG SPRING WATER CO, INC.		
20-00376	03/13/20 WATER	Open	153.07
00077	WEX BANK		
20-00344	03/11/20	Open	4,116.36
			TOTAL: \$319,760.38

MANUAL CHECKS

20-00371	David Hoder Associates	\$1,430.00
3/12/2020	Engineer:Plan. Brd/Inspctn/Rvw.-Escrow Accts	
20-00327	NJ Dept of Health	\$10.80
3/5/2020	Monthly Dog License Fees	
		TOTAL: \$1,440.80

TOTAL: \$321,201.18