

**AGENDA  
REGULAR MEETING  
BOROUGH OF SEA BRIGHT**

**JUNE 16, 2020**

**SEA BRIGHT, NEW JERSEY**

**DUE TO THE CORONAVIRUS AND THE NEED FOR SOCIAL DISTANCING, THIS  
MEETING WILL BE HELD REMOTELY AND OPEN TO THE PUBLIC BY  
FOLLOWING THE INSTRUCTIONS BELOW.**

**PUBLIC ACCESS DIAL-IN  
United States (Toll Free): 877-309-2073  
United States: 571-317-3129  
Access Code: 939-074-893**

**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."

<b>Councilmember(s)</b>	<b>BIRDSALL</b> _____	<b>CATALANO</b> _____	<b>KEELER</b> _____
	<b>LECKSTEIN</b> _____	<b>ROONEY</b> _____	<b>SCHWARTZ</b> _____
<b>Mayor</b>	<b>KELLY</b> _____		

**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**

05-14-2020	Workshop Meeting
05-14-2020	Executive Session
05-19-2020	Regular Meeting
05-19-2020	Executive Session
06-02-2020	Special Meeting
06-02-2020	Executive Session

**Resolutions:**

- No. 121-2020      Hiring Volunteer Firefighters  
Borough of Sea Bright Fire Department**
- No. 122-2020      Authorizing Hiring of Police Officers  
Designation of SLEO Class I, Special Officer**
- No. 123-2020      Borough of Sea Bright  
Awarding Raises for Non-Union Employees**
- No. 124-2020      Request for Proposals Real Property Data Collection and Verification  
Services in Accordance with the Assessment Demonstration Program**
- No. 125-2020      Consideration of Proposals Received for  
Professional Appraisal Services for 2020 State Tax Court Appeals**
- No. 126-2020      Accept the Performance Guarantee(s) for Block 22, Lots 4.01 and  
4.02 – 13-15 East Church Street LHP Holdings, LLC**
- No. 127-2020      Person-to-Person Transfer of Liquor License #1343-44-006  
Seabreeze Wines & Spirits, Inc. to K&R Holdings of Sea Bright, LLC  
(Sea Bright Wine & Spirits) 1060 Ocean Avenue, Sea Bright, New  
Jersey**
- No. 128-2020      Waiver of Outdoor Dining Permit Application Fees for the  
2020 Summer Season**
- No. 129-2020      Authorizes AT&T to Install Communications Lines within Conduit or on  
Existing Poles in the Public Right-Of-Way in Order to Provide  
Communications Services to the Public**

**Roll Call:** Birdsall\_\_\_ Catalano\_\_\_ Keeler\_\_\_ Leckstein\_\_\_ Rooney\_\_\_ Schwartz\_\_\_

**INDIVIDUAL ACTION/Resolution(s):**

- No. 99-2020      Authorizing Planning Board Review of the Sea Bright Downtown  
Properties Redevelopment Plan, Block 15, Lots 2, 3 and 4,  
Ocean Avenue (Carried from 05-19-2020 Council Meeting)**

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

**Roll Call:** Birdsall\_\_\_ Catalano\_\_\_ Keeler\_\_\_ Leckstein\_\_\_ Rooney\_\_\_ Schwartz\_\_\_

- No. 130-2020      Authorizing Planning Board Review of the Sea Bright  
River Properties Redevelopment Plan,  
Block 13, Lots 13, 14, 15, 18, 20, 21 and 22; Block 14,  
Lots 12 and 14; and Block 15, Lots 5, 8, 10, 11 and 12**

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

**Roll Call:** Birdsall\_\_\_ Catalano\_\_\_ Keeler\_\_\_ Leckstein\_\_\_ Rooney\_\_\_ Schwartz\_\_\_

**INDIVIDUAL ACTION/Vouchers:**

**Vouchers: \$552,045.86**

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

**Roll Call:** 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. 121-2020**  
**HIRING VOLUNTEER FIREFIGHTERS**  
**BOROUGH OF SEA BRIGHT FIRE DEPARTMENT**

Councilmember      offered the following resolution for approval; seconded by  
Councilmember

**WHEREAS**, Chapter 20, Section 20.4 of the General Code, Fire Department membership requires any person desiring membership in a volunteer fire department, shall complete an application; may be required to have a pre-appointment physical by a physician; and the Borough Council shall order a criminal background check to be conducted by the Chief of Police; and

**WHEREAS**, the Fire Department received applications and recommends hiring the following new members to serve as volunteer firefighters on the Sea Bright Fire/Rescue Department, as follows:

**Full Membership**

Christopher William Bazant  
Anthony Gandolfo  
Leticia Lacerda  
Starr McKenna  
Erik J. Pedersen  
Craig D. Weisbecker

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, do hereby accept and approve the hiring of the above named individuals to serve as a 2020 full time members on the Sea Bright Fire Department; and

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby authorized to send a copy of this resolution, certified to be a true copy, be forwarded to the following:

1. Borough of Sea Bright Fire Chief
2. Individual Members

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

June 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 June 16, 2020.

\_\_\_\_\_  
Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 122-2020**  
**AUTHORIZING HIRING OF POLICE OFFICERS**  
**DESIGNATION OF SLEO CLASS I, SPECIAL OFFICER**

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

**WHEREAS**, there exists a need for additional employees in the Police Department in the Borough of Sea Bright; and

**WHEREAS**, Chief Brett Friedman submitted a request dated May 20, 2020, to hire two (2) additional employees as Class I Special Officers; and

**WHEREAS**, Chief Friedman indicated that the applicants have been processed through the police department's extensive background check procedures and have successfully completed the 2020 Special Law Enforcement Officer Class I training at the Monmouth County Police Academy.

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds are available in Police S/W:

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**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 that the following applicants be hired at an hourly rate as specified in Ordinance No. 22-2019 as members of the Sea Bright Police Department; and

1. Christian G. Pacheco
2. Nicolas E. Turi

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

1. K. Jacobs, Finance Manager
2. B. Friedman, Chief of Police
3. Individual Appointees

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

June 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 June 16, 2020.

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Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 123-2020**  
**BOROUGH OF SEA BRIGHT**  
**AWARDING RAISES FOR NON-UNION EMPLOYEES**

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

**WHEREAS**, the Borough of Sea Bright is a municipal employer with full time and part time staff; and

**WHEREAS**, the governing body has provided for a 2.5% increase in salary and wages in the 2020 budget; and

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sea Bright in the County of Monmouth, hereby authorize the 2020 annual salary increase of 2.5% for non-union employees, retroactive to January 1, 2020; and

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

1. Finance Manager
2. CFO
3. Borough Administrator

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

June 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 June 16, 2020.

\_\_\_\_\_  
Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 124-2020**  
**REQUEST FOR PROPOSALS**  
**REAL PROPERTY DATA COLLECTION AND VERIFICATION SERVICES IN**  
**ACCORDANCE WITH THE ASSESSMENT DEMONSTRATION PROGRAM**

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

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

1. Real Property Data Collection and Verification Services in Accordance With the Assessment Demonstration Program

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

**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 Clerk to advertise for Proposals for the aforesaid services as per the specifications on file to be received by the Borough Clerk on a date to be determined; and

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

1. Finance Manager
2. Tax Assessor

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

June 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 June 16, 2020.

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Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 125-2020**  
**Consideration of Proposals Received for**  
**Professional Appraisal Services for 2020 State Tax Court Appeals**

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

**WHEREAS**, the Borough Council authorized receiving proposals for professional services for the preparation of the 2020 Added Assessment tax list on March 16, 2020; and

**WHEREAS**, the Borough Clerk did duly advertise on March 20, 2020 to receive proposals on April 24, 2020 for professional appraisal services to defend the 2020 **non-beach club** State Tax Court Appeals; and

**WHEREAS**, in connection therewith, no proposals were received and on May 19, 2020, the Borough Council authorized the Borough Clerk to re-advertise for proposals to be received on June 12, 2020 for professional appraisal services to defend the 2020 **non-beach club** State Tax Court Appeals; and

**WHEREAS**, in connection therewith, two proposals were received by the Tax Assessor: 1) Realty Appraisal Company, West New York, New Jersey in an amount of \$100.00 per hour, not to exceed \$1,200.00 per appeal for residential properties and \$5000.00 per appeal for commercial properties, and 2) Associated Appraisal Group, Cranford, New Jersey in an amount of \$100-\$125.00 per hour, not to exceed \$1,500.00 per appeal for residential properties and \$5000.00 per appeal for commercial properties; and

**WHEREAS**, the Borough Tax Assessor reviewed both proposals and based on his recommendation, the proposal submitted by Realty Appraisal Company is being considered to provide professional appraisal services to defend the 2020 State Tax Court Appeals; and

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available for this contract in Legal O&E.

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**Michael J. Bascom**

**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 proposal for professional appraisal services to defend the 2020 non-beach club State Tax Court Appeals as set forth in the proposal submitted at a rate not to exceed \$1,200 per residential property appeal and \$5,000 per commercial property appeal be awarded to Realty Appraisal Company, 4912 Bergenline Avenue, Suite 4, West New York, NJ 07093; and

**BE IT FURTHER RESOLVED** that a notice of this action shall be printed one time in the "Asbury Park Press" newspaper.

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

1. Realty Appraisal Company
2. Tax Assessor
3. Finance Manager

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

June 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 June 16, 2020.

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Christine Pfeiffer, Borough Clerk



**RESOLUTION NO. 126-2020**  
**Accept the Performance Guarantee(s) for**  
**Block 22, Lots 4.01 and 4.02 – 13-15 East Church Street**  
**LHP Holdings, LLC**

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

**WHEREAS**, the Borough of Sea Bright Planning Board has approved a development project on Block 22, Lots 4.01 and 4.02 also known as 13-15 East Church Street; and

**WHEREAS**, Planning Board Engineer, David Hoder of Hoder Associates Consulting Engineers prepared a performance guarantee estimate dated May 19, 2020 for LHP Holdings, LLC; and

**WHEREAS**, in accordance with N.J.S.A. 40:55D-53, LHP Holdings, LLC posted said performance guarantees in the total amount of \$6,095.40, ten percent 10% (\$609.54) of which was cash and deposited with the Borough and the remaining 90%, (6,095.40) in the form of a surety performance bond; and

**WHEREAS**, LHP Holdings, LLC posted the estimated engineering inspection fees in the amount of \$500.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the requirements for entering into a developer's agreement are hereby waived; and

**BE IT FURTHER RESOLVED** that the performance guarantees as referenced above are hereby accepted.

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

1. Hoder Associates
2. Construction Official
3. Finance Manager
4. Planning Board Secretary
5. LHP Holdings, LLC

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

June 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 June 16, 2020.

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Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 127-2020**  
**Person-to-Person Transfer of Liquor License #1343-44-006**  
**Seabreeze Wines & Spirits, Inc. to**  
**K&R Holdings of Sea Bright, LLC (Sea Bright Wine & Spirits)**  
**1060 Ocean Avenue, Sea Bright, New Jersey**

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

**WHEREAS**, an application has been filed for a person-to-person transfer of Plenary Retail Distribution Liquor License, Number 1343-44-006, heretofore issued to Seabreeze Wines & Spirits, Inc. (Receiver, Joseph M. Casello, Esq.), 1060 Ocean Avenue, Bright, New Jersey to K&R Holdings of Sea Bright, LLC t/a Sea Bright Wines & Spirits; and

**WHEREAS**, the submitted application form is complete in all respects as outlined in N.J.S.A. 33:1-1 et seq., all appropriate State and Municipal fees have been paid, and the license has been renewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated there under, as well as pertinent local ordinances and conditions set by the Sea Bright Police Department and the New Jersey Division of Alcohol and Beverage Control; and

**WHEREAS**, the applicant has disclosed, and the issuing authority has reviewed, the source of all funds used in the purchase of said liquor license and the licensed business and all additional financing obtained in connection with the licensed business;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth that it does hereby approve, effective June 16, 2020, the transfer of the aforesaid Plenary Retail Distribution License to K&R Holdings of Sea Bright, LLC t/a Sea Bright Wines & Spirits; and does hereby direct the Borough Clerk to endorse the license certificate to the new ownership as follows:

***"This license, subject to all its terms and conditions, is hereby transferred to K&R Holdings of Sea Bright, LLC t/a Sea Bright Wines & Spirits, 1060 Ocean Avenue, Sea Bright, New Jersey, effective June 16, 2020."***

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

1. Chief of Police
2. State of New Jersey, Division of ABC
3. K&R Holdings of Sea Bright, LLC

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

June 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 June 16, 2020.

\_\_\_\_\_  
Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 128-2020**  
**WAIVER OF OUTDOOR DINING PERMIT APPLICATION FEES**  
**FOR THE 2020 SUMMER SEASON**

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

**WHEREAS**, the COVID-19 Global Health Pandemic has had a significant negative financial impact on the Borough's restaurants; and

**WHEREAS**, the Borough Council wishes to temporarily waive permit application fees for outdoor dining for the 2020 summer season; and

**WHEREAS**, in connection therewith, fees were collected from two businesses, listed below, for outdoor dining permits; and

<b><u>Name</u></b>	<b><u>Type of Permit</u></b>	<b><u>Amount</u></b>
Woody's Ocean Grille	Temporary Emergency Outdoor Dining License	\$50.00
Angelica's	Sidewalk Café Permit	\$200.00
	Temporary Emergency Outdoor Dining License	\$50.00

**WHEREAS**, the Borough Council agrees that the above fees should be refunded.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey hereby authorize refunding the above mentioned fees and waiving the collection of any future fees for the purposes stated herein for 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. Individual Business Owners
3. Beach Manager

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

June 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 June 16, 2020.

\_\_\_\_\_  
Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 129-2020**

**AUTHORIZES AT&T TO INSTALL COMMUNICATIONS LINES ON EXISTING POLES IN THE PUBLIC RIGHT-OF-WAY IN ORDER TO PROVIDE COMMUNICATIONS SERVICES TO THE PUBLIC.**

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

**WHEREAS**, AT&T Corp., through its operating subsidiary Teleport Communications America, LLC (collectively, "AT&T"), is a communications carrier authorized to provide service by the New Jersey Board of Public Utilities (BPU) and the Federal Communications Commission (FCC); and

**WHEREAS**, AT&T, as a public utility and common carrier, has requested approval to install communications facilities in Sea Bright public right-of-way; and

**WHEREAS**, AT&T is seeking to lease or obtain access to poles with other utilities, particularly Verizon New Jersey Inc., per the attached Fact Sheet (Attachment "A") and Aerial Route diagram (Attachment "B") and Verizon has required that AT&T obtain approval of the Sea Bright Borough Council as a condition of such access;

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

1. Permission and authority are hereby granted to AT&T to install communications facilities (consisting of fiber optic telecommunications cables, splice cases, mounting and attachment hardware, slack storage and other similar related equipment), or lease or obtain for such communications facilities space on existing poles, in the public right-of-way in Sea Bright in order to provide communications services to the public, and to operate, maintain and repair said facilities, subject to the following:

- A. The facilities shall be installed on to existing utility poles in the public right-of-way.
- B. AT&T, its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements for the use of the public right-of-way.
- C. AT&T, its successors and assigns, shall comply with all Federal, State, and Local laws requiring permits prior to beginning construction.
- D. Such permission be and is hereby given upon the condition and provision that AT&T, its successors and assigns, not only indemnify and save harmless the Borough of Sea Bright, its officers, agents, and servants, from any claims whatsoever arising from or in any way connected to the acts or omissions of AT&T in use of the public right-of-way but shall agree on behalf of the Borough to defend any action at law or equity which may be brought against the Borough upon such claims or from claims arising during the construction period, excluding in all instances claims arising out of gross negligence or willful misconduct on the part of the Borough.
- E. In addition to the aforesaid indemnity agreement, AT&T, its successors and assigns shall at its own cost and expense procure and keep at all times in full force and effect paid up policies for Comprehensive General Liability Insurance in favor of the Borough, in the amount of at least \$5,000,000, covering bodily injury and property damage arising out of any one accident. Proof of said coverage, naming the Borough as an insured and including the indemnification clause in Section D shall be filed with the Borough Clerk prior to the installation of any plant. The Borough shall have the right to increase the amount of Comprehensive General Liability Insurance and to alter the terms of insurance called for under this section provided it does so generally for all companies using the public right-of-way within the Borough. Said insurance shall not be subject to cancellation or change until thirty (30) days after the Borough Clerk has

received written notice thereof as evidenced by return receipt of certified or registered letter.

- F. Such permission be and is hereby given upon the further condition that in the use of the public right-of-way AT&T, its successors and assigns, shall become subject to any lawful Ordinance or Resolution now or hereafter adopted by the Borough.
- G. Such permission be and is hereby given upon the condition that AT&T shall obtain all applicable permits which may be required by the Borough.
- H. AT&T shall be responsible for the repair of damage to paving, existing utility lines, or any surface or subsurface installations, etc., arising from the construction, installation or maintenance of said plant.
- I. Notwithstanding any provision contained herein, neither the Borough nor AT&T shall be liable to the other for consequential, incidental, exemplary or punitive damages on account of any activity pursuant to this instrument.
- J. This instrument shall be adopted on behalf of the Borough by the Sea Bright Borough Council and attested to by the Borough Clerk who shall affix the Borough Seal thereto. Said execution, approval, and filing shall constitute the existence of public notification.
- K. The permission and authority hereby granted shall be for a period of 50 years. However, after 15 years from the date of this agreement, the Borough shall have the right to terminate permission and authority, by Resolution with a minimum one year notice to AT&T to sell or liquidate its facilities in the public right-of-way. Conversely, AT&T shall be allowed to terminate permission and authority, by request of Resolution with a minimum of one year from passage of such Resolution to sell or liquidate its facilities in the public right-of-way.
- L. Notwithstanding any provision herein to the contrary, if authority of Verizon to maintain poles or lines in the Borough terminates for any reason, the permission and authority granted herein to AT&T will also terminate.

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

June 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 June 16, 2020.

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Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 99-2020**  
**Authorizing Planning Board Review of the Sea Bright  
Downtown Properties Redevelopment Plan,  
Block 15, Lots 2, 3 and 4, Ocean Avenue**

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

**WHEREAS**, the Mayor and Council of the Borough of Sea Bright adopted Resolution 79-2016 authorizing the study by the Planning Board of certain properties known and designated as Block 15, Lots 2, 3 and 4 as shown on the tax map of the Borough of Sea Bright ("Downtown Properties") to determine if they qualified as areas in need of redevelopment with the power of eminent domain as provided for under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

**WHEREAS**, the Planning Board proceeded to prepare such a redevelopment study and retained the services of Christine Cofone of Cofone Consulting Group, LLC to assist with the investigation and preparation of a report; and

**WHEREAS**, Cofone Consulting Group prepared a report entitled "Condemnation Redevelopment Investigation for Downtown Properties"; and

**WHEREAS**, the Planning Board, upon giving due notice to the owners of the aforesaid properties, conducted a public hearing on this study on June 14, 2016, at which time Ms. Cofone provided detailed testimony and persons having an interest in said application were given an opportunity to be heard; and

**WHEREAS**, rebuttal testimony was then heard by the Planning Board from Andrew Janiw, licensed professional planner; and

**WHEREAS**, following the conclusion of that portion of the hearing, the Planning Board voted to find that the properties in question as set forth in the aforesaid study met one or more of the statutory criteria in order to be designated as a condemnation area in need of redevelopment; and

**WHEREAS**, the Borough Council had the opportunity to review the aforesaid Report, a transcript of the Planning Board hearing of June 14, 2016, and the subsequent Resolution adopted by the Planning Board memorializing its findings; and

**WHEREAS**, on February 4, 2020 the Mayor and Council adopted Resolution No. 47-2020 designating the Break at Sea Bright, LLC as the redeveloper of Lots 2, 3 and 4; and

**WHEREAS**, at the request of the Mayor and Council, Cofone Consulting Group prepared a report entitled "Sea Bright Downtown Properties Redevelopment Plan" ("Redevelopment Plan"); and

**WHEREAS**, the Mayor and Council deems it advisable to seek comments on the Redevelopment Plan from the Planning Board.

**NOW, THEREFORE, BE IT RESOLVED**, that pursuant to N.J.S.A. 40:12A-7 e and f, the Mayor and Council hereby refers the Redevelopment Plan to the Planning Board for review and comment; and

**BE IT FURTHER RESOLVED**, that the Planning Board, upon giving due notice to the owners of the aforesaid properties and to the public in accordance with the requirements for public notice as set forth in N.J.S.A. 40:55D-12 a and b, shall hold a public hearing and send its comments on the Redevelopment Plan to the Mayor and Council; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby requests that the Planning Board complete its review and send its comments on the Redevelopment Plan to them within 45 days of the date of this Resolution; and

**BE IT FURTHER RESOLVED** that all Borough officials including, but not limited to, the Mayor, the Municipal Clerk, the Borough Administrator, Planner, Attorney and Special Counsel are hereby authorized and directed to take such action as necessary to effectuate the provisions of this Resolution.

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

June 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 June 16, 2020.

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Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 130-2020**  
**Authorizing Planning Board Review of the Sea Bright  
River Properties Redevelopment Plan,  
Block 13, Lots 13, 14, 15, 18, 20, 21 and 22; Block 14,  
Lots 12 and 14; and Block 15, Lots 5, 8, 10, 11 and 12**

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

**WHEREAS**, the Mayor and Council of the Borough of Sea Bright adopted Resolution 80-2016 authorizing the study by the Planning Board of certain properties known and designated as Block 13, Lots 13, 14, 15, 18, 20, 21 and 22; Block 14, Lots 12 and 14; and Block 15, Lots 5, 8, 10, 11, and 12 as shown on the tax map of the Borough of Sea Bright ("River Properties") to determine if they qualified as areas in need of redevelopment with the power of eminent domain as provided for under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

**WHEREAS**, the Planning Board proceeded to prepare such a redevelopment study and retained the services of Christine Cofone of Cofone Consulting Group, LLC to assist with the investigation and preparation of a report; and

**WHEREAS**, Cofone Consulting Group prepared a report entitled "Condemnation Redevelopment Investigation for River Properties; and

**WHEREAS**, the Planning Board, upon giving due notice to the owners of the aforesaid properties, conducted a public hearing on this study on April 25, 2017, at which time Ms. Cofone provided detailed testimony and persons having an interest in said application were given an opportunity to be heard; and

**WHEREAS**, following the conclusion of that portion of the hearing, the Planning Board voted to find that the properties in question as set forth in the aforesaid study met one or more of the statutory criteria in order to be designated as a condemnation area in need of redevelopment; and

**WHEREAS**, the Borough Council had the opportunity to review the aforesaid Report and the subsequent Resolution adopted by the Planning Board memorializing its findings; and

**WHEREAS**, on February 4, 2020, the Mayor and Council adopted a Resolution designating Brooks Real Estate Development, LLC as the redeveloper of Block 13, Lots 13, 14, 15, 18, 20, 21 and 22; Block 14, Lots 12 and 4; Block 15, Lots 5, 8, 10, 11 and 12; and

**WHEREAS**, at the request of the Mayor and Council, Cofone Consulting Group prepared a report entitled "Sea Bright River Properties Redevelopment Plan" ("Redevelopment Plan"); and

**WHEREAS**, the Mayor and Council deems it advisable to seek comments on the Redevelopment Plan from the Planning Board.

**NOW, THEREFORE, BE IT RESOLVED**, that pursuant to N.J.S.A. 40:12A-7 e and f, the Mayor and Council hereby refer the Redevelopment Plan to the Planning Board for review and comment; and



**BE IT FURTHER RESOLVED** that the Planning Board, upon giving due notice to the owners of the aforesaid properties and to the public in accordance with the requirements for public notice as set forth in N.J.S.A. 40:55D-12 a and b, shall hold a public hearing and send its comments on the Redevelopment Plan to the Mayor and Council; and

**BE IT FURTHER RESOLVED** that the Mayor and Council hereby requests that the Planning Board complete its review and send its comments on the Redevelopment Plan to them within 45 days of the date of this Resolution; and

**BE IT FURTHER RESOLVED** that all Borough officials including, but not limited to, the Mayor, the Municipal Clerk, the Borough Administrator, Planner, Attorney and Special Counsel are hereby authorized and directed to take such action as necessary to effectuate the provisions of this Resolution.

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

June 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 June 16, 2020.

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Christine Pfeiffer, Borough Clerk

VOUCHER LIST  
BOROUGH OF SEA BRIGHT  
JUNE 16, 2020

01062	ALL HANDS FIRE EQUIPMENT, LLC 20-00316 03/03/20 FIRE DEPT	Open	235.50
00205	ALMETEK INDUSTRIES, INC. 20-00531 05/01/20 DPW	Open	113.00
02113	AMERICAN WATER 20-00657 06/04/20 SEWER	Open	324.10
00519	ANTONIDES AND SIMONE CPA's 20-00719 06/11/20 FISCAL OFFICER	Open	3,312.50
2625	ASSO ABLOY ENTRANCE SYSTEMS 19-01161 09/26/19 BEACH PAVILION	Open	7,391.00
2597	AT&T MOBILITY 20-00696 06/11/20 BEACH	Open	68.00
2671	ATLANTIC SOLAR FILM 20-00454 04/15/20 POLICE	Open	250.00
01494	ATLANTIC TACTICAL, INC. 19-01503 12/17/19 OEM 19-01524 12/31/19 OEM 20-00172 02/05/20 POLICE 20-00336 03/09/20 POLICE	Open Open Open Open	581.03 569.22 1,326.97 129.42
			----- 2,606.64
01984	AVAYA FINANCIAL SERVICES 20-00417 03/31/20 POLICE	Open	796.74
01241	BAIN'S HARDWARE, INC. 20-00693 06/11/20 HARDWARE	Open	1,023.38
01631	BOROUGH OF OCEANPORT 20-00642 06/01/20 COURT	Open	6,500.00
01565	BOROUGH OF SEA BRIGHT 20-00620 05/22/20 ADMIN FEES	Open	9,232.50
01974	BOROUGH OF SEA BRIGHT COURT 20-00622 05/28/20 COURT 20-00665 06/08/20 COURT	Open Open	91.34 48.67
			----- 140.01
02089	BUILDERS' GENERAL SUPPLY CO. 20-00630 05/28/20 BEACH	Open	129.44
00530	BULLET LOCK & SAFE CO., INC. 20-00723 06/12/20 BLDGS & GRDS	Open	35.00
01594	CHERNAVSKY, DANIEL 20-00673 06/09/20 OEM 20-00711 06/11/20 POLICE	Open Open	191.80 49.48
			----- 241.28
2680	CINTAS 20-00618 05/22/20 BLD. & GRDS.	Open	921.89
2555	CJM ASSOC. OF SEA BRIGHT 20-00641 06/01/20 LEASE	Open	500.00
00256	CLEARY, GIACOBBE, ALFIERI & 20-00688 06/11/20 LEGAL	Open	436.40
00198	COMCAST 20-00625 05/28/20 POLICE 20-00698 06/11/20 INTERNET	Open Open	183.45 149.57
			----- 333.02
01493	COOPERATIVE INDUSTRIES, L.L.C. 20-00692 06/11/20 NATURAL GAS	Open	754.51
02231	COUSINS LANDSCAPING 20-00553 05/08/20 RIVERSIDE PARK	Open	5,318.61
2528	DCH FORD 20-00535 05/05/20 DPW	Open	60.90

2286	DIFRANCESCO, BATEMAN, KUNZMAN		
20-00689	06/11/20 LEGAL	Open	740.00
2444	EAST COAST EMERGENCY LIGHTING		
20-00310	03/03/20 BEACH	Open	3,479.34
20-00644	06/03/20 DPW	Open	250.00
			-----
			3,729.34
00421	FAIL SAFE FIRE HOSE TEST, INC.		
20-00555	05/11/20 FIRE DEPT	Open	3,587.50
00506	FARMER, JANE		
20-00705	06/11/20 LIBRARY	Open	429.20
01288	FISLER, CHRISTOPHER		
20-00681	06/11/20 POLICE	Open	211.90
2406	FP MAILING SOLUTIONS		
20-00624	05/28/20 A&E	Open	126.00
02101	GANNETT NJ		
20-00667	06/08/20 LEGAL ADS	Open	45.90
20-00668	06/08/20 CLERK	Open	16.20
			-----
			62.10
01549	GENERAL CODE, LLC		
20-00691	06/11/20 A&E	Open	1,195.00
01194	GLENCO SUPPLY, INC.		
20-00536	05/05/20 DPW	Open	850.00
20-00606	05/19/20 DPW	Open	209.00
20-00608	05/19/20 DPW	Open	1,840.00
20-00613	05/21/20 DPW	Open	525.00
			-----
			3,424.00
01887	HEIM ELECTRONICS, INC.		
20-00717	06/11/20 ALARMS	Open	1,525.00
20-00718	06/11/20 ALARMS	Open	1,052.50
			-----
			2,577.50
01838	HOLMAN, FRENIA, ALLISON, P.C.		
20-00679	06/10/20 AUDIT	Open	10,000.00
2297	INTEGRATED TECHNICAL SYSTEMS		
20-00706	06/11/20 PARKING	Open	600.00
2561	INTRON TECHNOLOGY SOLUTIONS		
20-00565	05/12/20 DPW	Open	690.00
20-00707	06/11/20 MUNICIPAL BLDG.	Open	448.00
20-00708	06/11/20 MUNICIPAL COMPLEX	Open	6,650.00
20-00709	06/11/20 MUNICIPAL COMPLEX	Open	3,186.00
			-----
			10,974.00
01419	J. SWANTON FUEL OIL CO., INC.		
20-00699	06/11/20 FUEL	Open	240.30
2470	JAX LLC NW SHIRT SHOP		
20-00551	05/08/20 BEACH	Open	4,283.65
20-00552	05/08/20 BEACH	Open	1,150.00
			-----
			5,433.65
2573	JCP & L		
20-00712	06/11/20 ELECTRIC	Open	9,623.12
2615	JERSEY SHORE LINE STRIPING, INC		
20-00614	05/21/20 DPW	Open	2,000.00
2488	JERSEY SHORE POWERSPORTS		
20-00629	05/28/20 BEACH	Open	147.98
00297	JESSE A. HOWLAND & SONS, INC.		
20-00640	06/01/20 PARKING LOT LEASE	Open	750.00
20-00727	06/12/20 DPW	Open	5,115.00
			-----
			5,865.00
01784	JUNGLE LASERS, LLC		
20-00694	06/11/20 BLDG. DEPT.	Open	80.00
2678	LANDMARK SUPPLY, INC.		
20-00607	05/19/20 BLDGS & GRDS	Open	384.00
20-00612	05/21/20 BEACH	Open	1,549.80
			-----
			1,933.80

01603	M & N VENTURES, LLC		
20-00615	05/22/20 DPW	Open	228.00
2417	MARLIN BUSINESS BANK		
20-00701	06/11/20 POSTAGE MACHINE	Open	188.00
01801	MASER CONSULTING, P.A.		
20-00680	06/10/20 ENGINEER	Open	891.25
20-00714	06/11/20 ENGINEER	Open	618.75
			-----
			1,510.00
1900	MCKENNA, DUPONT, HIGGINS &		
20-00653	06/04/20 PLANNING BOARD	Open	840.00
2278	MCLAUGHLIN, STAUFFER & SHAKLEE		
20-00666	06/08/20 LEGAL	Open	7,090.48
00339	NAPA AUTO PARTS CENTER		
20-00601	05/19/20 DPW	Open	74.98
01399	NEW JERSEY AMERICAN WATER		
20-00697	06/11/20 WATER	Open	3,695.85
00113	NJ NATURAL GAS COMPANY		
20-00626	05/28/20 NATURAL GAS	Open	1,282.94
00885	OCEAN TWP FIRE DISTRICT NO. 2		
20-00726	06/12/20 SHARED SRVC	Open	300.00
01309	OCEANPORT BOARD OF EDUCATION		
19-00745	06/13/19 SCHOOL TAX	Open	50,008.75
00046	ONE CALL CONCEPTS, INC.		
20-00687	06/11/20 A&E	Open	35.75
00163	OSWALD ENTERPRISES, INC.		
20-00567	05/12/20 DPW	Open	700.00
01737	PENGUIN MANAGEMENT, INC.		
20-00556	05/11/20 FIRE DEPT	Open	1,074.00
2525	POOR JOHNS PORTABLE TOILETS		
20-00656	06/04/20 BEACH	Open	1,321.00
2300	PRECISION DYNAMICS CORP.		
20-00506	04/29/20 BEACH	Open	1,826.28
2687	ROAD SAFETY SYSTEMS, INC.		
20-00616	05/22/20 DPW	Open	3,550.00
00244	SEA BRIGHT FIRST AID, INC.		
20-00725	06/12/20	Open	18,000.00
00985	SEABOARD FIRE/SAFETY EQUIP CO.		
20-00636	05/29/20 BLDGS & GRDS	Open	230.00
00027	SEABOARD WELDING SUPPLY, INC.		
20-00716	06/11/20 DPW	Open	14.50
00053	SHORE REGIONAL HIGH SCHOOL		
19-00746	06/13/19 SCHOOL TAX	Open	219,736.00
02225	STAPLES ADVANTAGE		
20-00538	05/05/20 OFFICE SUPPLIES	Open	47.63
20-00539	05/05/20 POLICE	Open	175.94
20-00599	05/18/20 POLICE	Open	889.41
			-----
			1,112.98
2585	STATE TOXICOLOGY LABORATORY		
20-00563	05/11/20 POLICE	Open	45.00
2535	SUBURBAN DISPOSAL, INC.		
20-00684	06/11/20 TRASH PICKUP	Open	20,080.26
20-00685	06/11/20 LANDFILL	Open	8,144.33
20-00686	06/11/20 DUMPSTERS	Open	672.16
			-----
			28,896.75
01931	SUBURBAN PROPANE		
20-00710	06/11/20 PROPANE	Open	171.13
00083	T & M ASSOCIATES		
20-00683	06/11/20 ENGINEER	Open	4,512.17

01285	THE HOME DEPOT		
20-00619	05/22/20 BEACH	Open	789.16
20-00646	06/03/20 BLDGS & GRDS	Open	46.33
			-----
			835.49
01243	TREASURER, STATE OF NEW JERSEY		
20-00690	06/11/20 BEACH PAVILION	Open	339.00
20-00715	06/11/20 BEACH PAVILION	Open	323.00
			-----
			662.00
2575	UNDER THE SUN		
20-00603	05/19/20 BEAUTIFICATION	Open	11,000.00
20-00672	06/09/20 BLDGS & GRDS	Open	800.00
			-----
			11,800.00
2487	UNIMAK, LLC		
20-00728	06/12/20 NEW MUNICIPAL COMPLEX	Open	71,219.03
2291	VERIZON		
20-00702	06/11/20 POLICE	Open	173.02
2658	VERIZON		
20-00703	06/11/20 BEACH	Open	219.57
2291	VERIZON		
20-00704	06/11/20 FIOS	Open	120.42
2658	VERIZON		
20-00713	06/11/20 SEWER	Open	310.84
2291	VERIZON		
20-00724	06/12/20 FIOS	Open	183.99
02061	VERIZON WIRELESS		
20-00623	05/28/20 POLICE	Open	650.53
20-00628	05/28/20 PARKING	Open	208.03
20-00720	06/12/20 FIRE DEPT	Open	268.07
20-00721	06/12/20 CELL SERVICE	Open	237.95
			-----
			1,364.58
2689	VINYL FENCE WHOLESALER		
20-00635	05/29/20 BEAUTIFICATION	Open	7,166.00
01164	WATCHUNG SPRING WATER CO, INC.		
20-00695	06/11/20 SPRING WATER	Open	61.23
00077	WEX BANK		
20-00700	06/11/20 GASOLINE	Open	4,190.30

**Total: \$548,626.84**

### Manual Checks

#### BILL LIST JUNE 16, 2020 - MANUAL CHECKS

20-00621	Current Fund	\$49.82
5/27/2020	Refurbish Petty Cash/Boro Hall	
20-00669	David Hoder Associates	\$860.00
6/8/2020	Plan. Brd:Engineer Review & Inspctn/Escrow Accts.	
20-00627	Gannett NJ	\$22.50
5/28/2020	Plan. Brd:Legal Ad-Review/Escrow Acct.	
20-00654	McKenna, Dupont, Higgins & Stone	\$520.00
6/4/2020	Plan. Board:Legal Review/Escrow Accts.	
20-00722	NJ Dept. of Health	\$3.60
6/12/2020	Monthly Dog License Fee Report - May	
20-00638	NJ Dept. of Labor & Workforce Development	\$321.10
6/1/2020	1/Q 2020 Unemployment	
20-00617	Treasurer, State of New Jersey	\$1,642.00
5/22/2020	Bldg. Dept:1/Q Permit Surcharge Fees	

**TOTAL MANUALS: \$3,419.02**

**GRAND TOTAL: \$ 552,045.86**