

**MINUTES
WORKSHOP MEETING
BOROUGH OF SEA BRIGHT**

NOVEMBER 12, 2020 (Thursday)

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 LINK

<https://global.gotomeeting.com/join/917615245>

DIAL-IN

United States (Toll Free): 877-309-2073

United States: 571-317-3129

Access Code: 917-615-245

Mayor Kelly called the meeting to order at 8:30 a.m. and requested those present to join in the Pledge of Allegiance.

Mayor Kelly read the following Compliance Statement:

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

**Good Morning 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."**

PRESENT: Mayor Brian P. Kelly
Councilmember's Kevin Birdsall, Samuel A. Catalano, William J. Keeler (Arrived late),
Marc A. Leckstein, Charles H. Rooney, Jon Schwartz

OTHERS: Attorney Richard Shaklee, Administrator Joseph L. Verruni,
Engineer William White, Deputy Clerk Michelle Ketcham

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.

No one wished to be heard.

ITEMS FOR DISCUSSION:

SUBJECT: Capital Projects Update

ACTION: Administrator Verruni reported that T&M completed the exterior final site plan review for both the Beach Pavilion and Municipal Complex and has given the remaining punch list items to the bonding company for the pavilion and the contractor for the muni complex. The engineering firm, Leon S. Avakian, is finalizing the plans for the Road Program and as part of that project, working on the Beach Way outfall pipe to extend the outfall from the storm/sewer pipe to the river. Mr. Verruni reported he is having a meeting later today with JCP&L who is interested in elevating their bulkhead at River Street. Borough Engineer, Bill White, looked at all the location options for the street end elevated platforms and explained that the grant extension only allows for a six-month window to install the handicap accessible street end platform and the County will not allow us to change the location at this point. Councilman Schwartz would like to get the one completed on Osborne Place while we still have the money from the grant.

SUBJECT: Public Safety Update (Chiefs of Police and Fire)

ACTION: Chief Friedman provided an update on the Police Department's activity for the month of October – 367 calls for service, multiple arrests, over 150 motor vehicle stops, overall a pretty busy month. There was extra enforcement on the beach last weekend because of the increased number of dogs. Fire Department Chief Murphy reported that there has been 353 call for service so far this year which is above average. Chief Murphy said the department is maintaining a strong membership base and are getting all the calls answered and reported that there were two fires in town that were mitigated quickly preventing additional damage to surrounding structures. Councilman Rooney said we should get together and decide on the signage for the outside of the Fire Department.

SUBJECT: Shared Service Agreement with Monmouth County for CRS Software

ACTION: Administrator Verruni explained that Monmouth County applied for a grant to pay for software to share with participating municipalities in the CRS program. The Borough currently has a high tier rating in the CRS program which provides a discount to residents for their flood insurance premiums. Record keeping is key to this process and since you need to be recertified every year, it can be very time consuming. Should the County receive the grant, the software will be available to the Borough through a shared service at no cost for 3 years and there is no obligation to continue in the program after the 3 years. Council agreed to participate and a resolution will be prepared for approval on the November 17th meeting agenda.

WORKSHOP MEETING MINUTES**NOVEMBER 12, 2020**

SUBJECT: Shared Service Agreement with Monmouth County for participation in the Shrewsbury River Automated Flood Warning System

ACTION: Administrator Verruni explained that we have participated in this program for 10 years and it is set to expire. There is a minimum fee that gives us advance warning on potential flooding in the river. A resolution will be prepared for the November 17th meeting for approval.

SUBJECT: Short Term Rental Properties Ordinance

ACTION: Mr. Verruni explained that we have been looking at legislation that other municipalities have put in place regarding short term rentals. Airbnb has a branch that provides a free service for municipalities to help craft ordinance to prevent "animal house" type situations taking into account the specific needs of each town. Council agreed to have the representative from Airbnb attend the workshop meeting – Councilman Leckstein suggested waiting until January when the new Council is in place. Councilman Rooney wants to make sure that we mirror a town similar to ours as we don't want to discourage people from coming into town. Councilmembers Catalano and Schwartz agree with Councilman Rooney's remarks.

SUBJECT: Amend Ord No. 09-2020 Bulkhead Maintenance

ACTION: Mayor Kelly stated that we adopted Ord No. 09-2020 at the last meeting and Council now wanted to further look into the recommendations from the Planning Board. Councilman Leckstein agreed with the Board's recommendations except for the elimination of D.1. – Members which are bowed, bent, leaning or leaking. Councilman Birdsall said he feels the key word in that is leaking – just because a bulkhead is bowed doesn't mean it isn't working properly. After a brief discussion it was agreed to amend the ordinance as Councilman Leckstein suggested without the elimination of D.1. This amendment will be introduced at the November 17 Council meeting.

SUBJECT: Redevelopment Agreement

ACTION: Councilman Leckstein requested this discussion be carried to the December workshop meeting as the agreement is rather extensive and it will give everyone additional time to review it thoroughly – Council agreed.

SUBJECT: New Emergency Regulations for Remote Public Meetings

ACTION: Administrator Verruni reported a Local Finance Notice from the Department of Community Affairs was recently released with guidelines on how municipalities conduct open public meetings stating if you want to have open public meetings in person you must provide an opportunity for the public to attend in person in a socially distanced setting and if you do not have the space you must find another space that can accommodate those guidelines. Attorney Richard Shaklee added that you cannot have a general prohibition on the public being present when the governing body is meeting in person. Councilman Leckstein is adamant that we need to get back to normal governance and install the proper equipment in the meeting room in the Beach Pavilion to allow for in person meetings for those who want to attend. Administrator Verruni will speak with our IT representative to see where we stand.

SUBJECT: Reorganization Meeting Location

ACTION: Council agreed to hold the 2021 reorganization meeting remotely as we probably won't be technologically prepared for an in-person meeting.

SUBJECT: NJDEP – Stormwater Management Rules

ACTION: Attorney Shaklee explained that the NJDEP put out new regulations for future projects and municipalities must adopt a new storm water control ordinance by March 2, 2021. Mr. Shaklee summarized the changes and said it specifically pertains to green infrastructure and nonstructural stormwater management strategies. Councilman Birdsall inquired about how these changes would impact our upcoming Shrewsbury Riverfront and downtown projects. Engineer Bill White explained that the State wants to require new major developments improve stormwater quantity and quality runoff standards. Councilman Leckstein questioned the penalty for a municipality not adopting these new regulations – Attorney Shaklee will find out and report back. Councilman Leckstein would also like a draft of this ordinance to be reviewed by the Green Team prior to introduction.

SUBJECT: Pole Barn Location

ACTION: Councilman Birdsall stated that he has been looking into this with Shawn Thomas, Deputy Director of Public Works, and there are many factors that need to be considered. He proposed the area where the temporary cell tower is currently located in the parking lot behind the old Borough Hall. The benefit to having it in this location is that it wouldn't be in a residential area, its near the beach and has easy street access, however, we would lose a number of parking spaces. Shawn explained that we would probably lose more spots to get trucks in and out and would need additional space for dumpsters – he also cannot lose any of the current storage space at River Street. Councilman Leckstein feels that this location is ideal and solves all of our issues if properly designed and maintained. Councilman Rooney stated that one parking space makes about \$700 a year which means that if we eliminate 20 spots – that is a lot of revenue per year. He also wants Council to consider that when visitors are walking along our boardwalk they will be looking at a pole barn and dumpsters. Councilman Catalano suggested putting the dumpsters where Donovan's has their dumpsters and putting the pole barn on River Street. Councilman Leckstein stressed that he wants to make sure it is aesthetically pleasing.

SUBJECT: Codification Ordinance

ACTION: Deputy Clerk Michelle explained that we are finally ready to adopt the changes from our codification project. Councilman Leckstein asked if we could carry this item since he has not gotten a chance to review all the amendments. Administrator Verruni recommends listing the

WORKSHOP MEETING MINUTES

NOVEMBER 12, 2020

ordinance on the agenda for introduction and if anyone has any issues prior to the meeting we can pull it – Council agreed and it will be listed on the November 17th meeting agenda.

SUBJECT: 2021 Meeting Dates

ACTION: Deputy Clerk Michelle stated that we are not going to be adopting the resolution of the 2021 meeting dates until the reorganization meeting in January but wanted to bring some potential conflicts to the governing body’s attention. The two meetings in September fall on Jewish holidays, the workshop in November falls on Veterans Day, and the meeting in December is the week of Christmas. Councilman Leckstein recommended, and council agreed on alternative dates for all the conflicting dates and to only have one meeting in September.

SUBJECT: 13-15 East Church Street Request

ACTION: Administrator Verruni stated that we received a request from a property owner on East Church Street to purchase Borough owned land between his property and the sea wall along with a petition from his neighbors expressing that they would be in favor of the purchase. Councilman Rooney explained that we took similar action with this property owner with another parcel of land that he currently maintains and paystaxes on – the Borough would retain an easement for a walk-through but it would be moved to the other side of the building. Attorney Shaklee and Administrator Verruni will put something in writing to present to the property owner.

SUBJECT: Resolutions

- R1. Authorize DPW to purchase skid steer trailer
- R2. Authorizing SPCA Agreement for 2021
- R3. Authorize Issuance of a “New” Liquor License for the 2019/2020 License Term
S. Kelly Corporation – The Mad Hatter
- R4. 2020-2021 Liquor License Renewal – S. Kelly Corporation – The Mad Hatter
- R5. Authorize Release of Maintenance Bond, 1030 Partners LLC & 1010 Ocean Partners, LLC
- R6. Authorize Release of Maintenance Bond, AMCK, LLC – 1066 Ocean Avenue
- R7. Rescinding Resolution 122-2008 and Directing Removal of Abandoned Signage from Borough

ACTION: The above resolutions will be prepared for the November 17th meeting for approval.

REMINDER:

Next Council meeting will be held remotely on TUESDAY, November 17, 2020 at 7:00 pm.

EXECUTIVE SESSION:

Councilmember Leckstein offered a motion to enter in to Closed Session; second by Councilmember Birdsall:

WHEREAS, Section 8 of the Open Public Meeting Act, N.J.S.A. 10:4-12 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, it is recommended by the Borough Attorney and Administrator that the Borough Council go into executive session to discuss matters set forth hereinafter which are permissible for discussion in executive session.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that they meet in closed session to discuss the issues as herein set forth:

- 1. The general nature of the subject matters to be discussed are as follows:
 - A. Real Estate Acquisition

BE IT FURTHER RESOLVED, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public; and

BE IT FURTHER RESOLVED, that the Mayor and Council may come back into Regular Session to conduct additional business.

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

ADJOURNMENT:

Councilmember Birdsall offered a motion to Adjourn the Workshop meeting; seconded by Councilmember Keeler:

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

Respectfully Submitted,

Christine Pfeiffer
Borough Clerk