

**AGENDA
WORKSHOP MEETING
BOROUGH OF SEA BRIGHT**

JANUARY 14, 2021 (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/412527437>

United States: +1 (872) 240-3212

Access Code: 412-527-437

CALL MEETING TO ORDER: 8:30am

PLEDGE OF ALLEGIANCE

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 4, 2021. In each instance, the Date, Time, And Location of This Meeting Were Provided in the Notice. This Meeting Is Open to The Public."

ROLL CALL:

Councilmember(s): BIRDSALL____ BOOKER____ CATALANO____
KEELER____ LAMIA____ LECKSTEIN____
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.

ITEMS FOR DISCUSSION:

1. Short Term Rental (Liz DeBold Fusco, AIRBNB) (enc.)
2. Capital Projects Update
3. Public Safety Update (Police Chief Friedman and Fire Chief Murphy)
- Assistance to Firefighters Grant (Chief Murphy)
4. DPW Garage - Maser Proposal (enc.)

- 5. 26 New Street – JCPL Pole (enc.)
- 6. Paid Parking Signage throughout the Borough
- 7. Oceanport Court Contract Renewal
- 8. Beach Bathroom Access

ORDINANCE(s)

- 1. Ord No. 01-2021 - Calendar Year 2021 - Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish A Cap Bank (N.J.S.A. 40a: 4-45.14)

EXECUTIVE SESSION:

Councilmember _____ offered a motion to enter in to Closed Session;
second by Councilmember _____

Resolution to discuss: Potential Litigation

Roll Call: Birdsall___ Booker___ Catalano___ Keeler___ Lamia___ Leckstein ___

ADJOURNMENT:

Councilmember _____ offered a motion to Adjourn the Workshop meeting;
seconded by Councilmember _____

Roll Call: Birdsall___ Booker___ Catalano___ Keeler___ Lamia___ Leckstein ___

Time: _____am

Airbnb: The Party's Over

Working out what works best for communities

LIZ DEBOLD FUSCO, *Policy & Communications, Airbnb*



In 2015, Airbnb released our Community Compact, a commitment to work with local governments to create 21st century rules for short-term rentals from helping hosts and guests to pay their fair share of taxes to sharing data to inform policy making. We have worked side-by-side with hundreds of municipalities around the world, balancing the dual needs of protecting the economic opportunities created by home sharing and crafting common-sense regulations.

Right here in New Jersey, from Atlantic City to Morristown, we have sat across the table from local officials to find a regulatory approach for short-term rentals that work in their communities.

Few efforts have been more essential than our work to crack down on party houses throughout the Garden State. Since last year, we have doubled down on our commitment to build trust among our own host-and-guest community and across the municipalities in which we operate, especially in light of public health guidelines and restrictions on mass gatherings in response to the COVID-19 crisis.

Safe and responsible travel!

Last year, we implemented a ban on party houses, making clear our commitment to safe and responsible travel. Since then, we have expanded manual screening of high-risk reservations flagged by our automated systems, to help identify reservations that help stop unauthorized parties before they start. We launched a 24/7 Neighborhood Support Hotline where neighbors can call us anytime and reach a real person at Airbnb to communicate their concerns around disruptive short-term rentals so that we can take action.

We have even imposed new restrictions on some U.S. guests

under the age of 25 from booking entire home listings in their local area, and in the immediate wake of the pandemic, strengthened our policies to prohibit gatherings that violate health mandates.

And still, we know that we can go even further to enhance trust and safety for our hosts and guests and within the neighborhoods our hosts call home—your neighborhoods. That’s why, in July, we suspended or removed 35 listings across New Jersey, including in: Asbury Park, Atlantic City, Bridgewater Township, Brigantine, East Brunswick, Guttenberg, Hoboken, Irvington, Jackson Township, Jersey City, Long Hill, Montclair, New Milford, Newark, Nutley, Pennington, Piscataway Township, Sparta Township, Stafford Township, Toms River, Trenton, Ventnor City, Watchung, Woodbridge Township, and Wood-Ridge. These listings had all received complaints via our Neighborhood Support Hotline or otherwise violated our policies on parties and events from the Airbnb platform.

While the vast majority of hosts in New Jersey take steps to prevent unauthorized parties, like establishing clear house rules, quiet hours, and communicating in advance with their guests, our goal was to address—as Governor Murphy said in commending our action—“the dangerous actions of a few that put many people and communities at risk,” and promote behavior that respects the public’s health.

Sharing knowledge

We will not tolerate irresponsible behavior on our platform. We remain committed to continuing to do the work that needs to be done in every city and town across the Garden State to prove that.

Building on this, we want to continue to work with communities, not only to address issues should they arise but also communicate our experience from collaborating alongside other cities. For municipalities seeking regulation to keep the character of their community

intact while recognizing the need for residents to earn extra income, we can share our firsthand knowledge of what works and what doesn’t work.

Bringing hosts to the table

It is critical that municipalities bring short-term rental hosts to the table. With so many New Jersey families financially impacted by COVID-19, residents may rely on the income from sharing their homes. Hearing directly from them and involving them in the regulatory process has led to success all over the world.

The reality is that short-term rentals are here to stay in New Jersey. The task is to find the right path forward. Let’s work together to establish clear rules that your communities will be comfortable following, generating significant revenue for your cities and towns and protecting hosts, guests, and their communities.

Liz DeBold Fusco is a part of the Policy & Communications team at Airbnb and is a Matawan resident. She can be reached at liz.deboldfusco@airbnb.com or 516-287-5208.

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December 18, 2020
Revised December 22, 2020

VIA EMAIL

Joseph Verruni, Borough Administrator
Borough of Sea Bright
1167 Ocean Avenue
Sea Bright, NJ 07760

Re: Proposal for Professional Services
DPW Building – River Street
Block 16 Lot 23
Borough of Sea Bright, Monmouth County, New Jersey
MC Proposal No. SEA-200P

Dear Mr. Verruni:

Maser Consulting Inc. is pleased to submit the following proposal for professional engineering, surveying and construction observation services associated with construction of a prefabricated DPW Storage Building and associated site improvements at the waterfront Borough-owned lot on River Street. A Borough sanitary sewer pump station and garage are situated on the north side of the site. A JCP&L sub-station abuts the property to the west. There are several underground utilities on the property including gravity sewer, sewer force main, water and gas. It would be our recommendation to perform a geophysical survey of the property to accurately locate the utilities.

Our proposal is divided into four sections as follows:

- Section I – Scope of Services
- Section II – Business Terms and Conditions
- Section III – Technical Staff Hourly Rate Schedule and Reimbursable Expenses
- Section IV – Client Contract Authorization

The following Scope of Services has been separated into phases so that it may be more easily reviewed. The order in which the phases are presented generally follows the sequence in which the project will be accomplished; however, depending on the project, the various authorized services contained in this proposal may be performed in a sequence as deemed appropriate by Maser Consulting to meet project schedules.



SCOPE OF SERVICES

Based on our conversations and information noted above, we propose to complete the following:

PHASE 1.0 BOUNDARY AND TOPOGRAPHIC SURVEY

Maser Consulting will perform a Boundary Survey of Block 16, Lot 23 in the Borough of Sea Bright, Monmouth County, New Jersey in accordance with the standards set forth in the Laws of the State of New Jersey Statutory Reference NJSA 45:8-28(e), and more specifically, the administrative rules and regulations promulgated by the State Board of Professional Engineers and Land Surveyors codified at NJAC 13:40-5.1. Maser Consulting will provide a certified plan of survey for client's use.

Included in this phase of service are the following tasks:

- Public records research and pre-field records review;
- Field traverse, location survey and data collection;
- Field survey data reduction and computation; and
- Boundary analysis and survey calculations.

The fee for this survey does not include the installation of property corner markers. If requested we will set a state approved property corner marker at each property corner where no marker currently exists in accordance with New Jersey administrative code, for an additional fee. **The fee for this service is \$200.00 per corner marker or a minimum of \$800.00,** for mobilization and services. If you elect not to have property corner markers installed, please sign and return the attached corner marker waiver form which is being provided in accordance with the NJ administrative code.

The client should furnish the surveyor with the following information/documents before we initiate work on the project:

- a) A copy of the property deed(s) of record;
- b) A copy of adjoining deeds and reference filed maps. **(Maser Consulting can obtain this information through our subcontractor if it cannot be provided to us. The fee for these services will be passed onto you as a reimbursable expense).**
- c) A copy of the property title binder;
- d) A statement in writing regarding replacement of corner markers, or;
- e) A waiver not to set corner markers must be signed;
- f) A statement in writing of the person or persons to be named in the Certification of Survey;
- g) Permission to enter the property to perform the services.

The fee for this service is based upon the assumption that the deeds mathematically close, that there are no title problems, that there are no overlaps or gores with adjoining properties and that



extraordinary research or analysis is not required. In the event that any of the issues cited in this paragraph do become issues during the course of our survey work, we will discuss the additional work and related costs with you prior to completion of such work.

Maser Consulting will also perform a Topographic Survey of Block 16, Lot 23. We will prepare a topographical survey map that is a graphic pictorial representation of the above-ground features within the boundary of the property to be used as a basemap for proposed construction of a pole barn. For the purposes of this project, the mapping will include one-foot contours drawn at an appropriate scale. The contouring information will be generated through ground survey work and include contours, spot elevations, locations of driveways, sidewalks, parking areas, signs, walls, docks, piles, bulkhead, etc. The survey will also include the mean high, mean low, and spring high water lines.

Visible and accessible utilities and/or utility structures within the topographic survey limits as described above will be surveyed and shown on the plan to include rim, grate and invert elevations, and pipe sizes entering and/or exiting the structures. For the purposes of this contract, accessible utilities shall be defined as those utilities that are visible to the naked eye at ground level and are safely accessible by foot by Maser Consulting field survey personnel without the need for additional safety measures and/or assistance with making pipes visible, open and clear for inspection and measuring.

We will survey visible evidence of existing utilities within the survey limits, but may not be able to confirm the existence, or actual position of, all underground utilities which may be running through or servicing the subject area. The NJ One Call System prohibits the use of its service for surveying and mapping of subsurface utilities for engineering design purposes. If requested, we can enlist the services of our in-house subsurface utility engineers to investigate and mark the approximate location of subsurface utilities that may exist on the site. The fee for this additional service can be provided upon request.

The primary ground control will be performed by utilizing Global Positioning System (GPS) to establish the horizontal and vertical control points. The horizontal control points will be tied to the New Jersey State Plane Coordinate System, North American Datum (NAD) 1983 adjustment, and the vertical control points will be tied to North American Vertical Datum of 1988 (NAVD 88).

Phase 1.0 Lump Sum Fee **\$ 4,400.00**

PHASE 2.0 GEOPHYSICAL SURVEY

Maser Consulting will conduct geophysical surveying using electromagnetic induction detection (EM) and ground penetrating radar (GPR) near-surface geophysical methods to map and to identify shallow subsurface anomalies representative of buried infrastructure (i.e. utilities, underground storage tanks, foundations etc.) within the subject area in preparation of the proposed pole barn structure. Upon completion of the evaluation, suspected infrastructure will be marked in the field



and added as an overlay to survey plans drafted by Maser Consulting and/or annotated georeferenced base map and summary letter report. This shall also offer as a guide for excavation (as necessary) should they conflict with existing infrastructure or utilities.

The fee includes one (1) day in the field to complete this effort, weather and field conditions permitting.

Please note that results from geophysical methods described above do not constitute as an absolute utility map. Geophysical surveying is an effective tool for locating anomalies that may represent buried objects, soils, and utilities and should be used as a reference to guide invasive activities such as excavation and test borings. The proposed evaluation will be performed as consistent with the industry standard of care and will express our findings based upon interpretation of the geophysical field survey results under specific site conditions.

Phase 2.0 Lump Sum Fee (optional) \$3,950.00

PHASE 3.0 PERMITTING

Task 3.1 CAFRA Individual Permit Application

Maser Consulting will prepare an Application for a CAFRA Permit to the DLUR to construct the proposed project on the subject property. The Application will be prepared in accordance with the standards described in the State's Coastal Zone Management Rules and will include the preparation of an Environmental Impact Statement/Compliance Statement (EIS/CS) in accordance with N.J.A.C. 7:7 the Coastal Zone Management Rules. The Application will include application forms, public notifications, and site photographs.

In addition to the information required as part of the EIS/CS, the DLUR requires three (3) copies of a site plan showing the locations and dimensions of all existing and proposed structures, existing site conditions, all existing and proposed accessways, and all proposed filling, grading, excavation and clearing.

The "Endangered or Threatened Wildlife or Vegetation Species Habitat" and "Critical Wildlife Habitats" coastal policies will be addressed with the results of a Natural Heritage Database search as performed by the NJDEP.

Task 3.1 Lump Sum Fee \$11,500.00

Task 3.2 Soil Erosion and Sediment Control Permit Application

Should the improvements disturb 5,000 sf or more of area, then a Soil Conservation Permit will be required. Maser Consulting will prepare an application to Freehold Soil Conservation District for review and approval. The Construction Documents will include the appropriate soil erosion and sediment control measures.

Task 3.2 Lump Sum Fee (if required) \$2,750.00



PHASE 4.0 SCHEMATIC DESIGN

This phase will start with a kickoff meeting between Maser Consulting and Borough representatives. During this meeting decisions will need to be made regarding the schematic layout so we will be able to provide a schematic design site package for review and approval.

Topics to be discussed and determined at the kickoff meeting are:

- The proposed building footprint size and location
- The proposed onsite traffic circulation
- The proposed parking layout
- Limited site lighting
- Type of utilities to be service the building

After this meeting, our office will develop the schematic design. Our schematic design package will be reviewed by the Borough representatives for review and comment.

After we have addressed any comments received, a final schematic design site package will be completed for review and approval.

The anticipated improvements should not require in excess of 0.25 acres of additional impervious coverage and, therefore, a stormwater management system design would not be required and is excluded in this scope of work.

Phase 4.0 – Lump Sum Fee **\$ 3,550.00**

PHASE 5.0 CONSTRUCTION PLANS/TECHNICAL SPECIFICATIONS

Following an approval of the final schematic design, our office will prepare detailed design drawings and technical specifications based on the approved layout of the proposed new DPW Building.

5.1 Maser Consulting will prepare plans and technical specifications for the improvements discussed in the scope of work.

The construction plan set shall consist of the following drawings:

- Cover Sheet
- Quantities Notes, Legend and Typical Sections
- Construction Plans
- Soil Erosion and Sediment Control Plans and Details
- Maintenance and Protection of Traffic (if needed)
- Construction Details



In addition to preparing plans and specifications, Maser Consulting will perform the following project associated activities:

- 5.2 Meet with Traffic Safety Officer to review traffic control and protection measures to be implemented during the construction phase.
- 5.3 Prepare a construction cost estimate.
- 5.4 Submit plans to utility companies having services within project limits for review and comment.
- 5.5 Furnish one (1) bound copy of the construction plans and technical specifications to the Borough.

Phase 5.0 – Lump Sum Fee \$15,500.00

PHASE 6.0 BIDDING SERVICES

During this phase, Maser Consulting will:

- 6.1 Prepare all forms required for project advertisement, bid and contract execution, review, analyze and tabulate bids, and recommend award of contract.
- 6.2 Respond to questions from prospective bidders during the review period and issue appropriate addenda to contract documents, if required.
- 6.3 Review references, qualifications and prices submitted by the low bidder, and submit a recommendation of award of contract to the Borough.

Phase 6.0 – Lump Sum Fee \$2,800.00

PHASE 7.0 CONSTRUCTION OBSERVATION & ADMINISTRATION

Maser Consulting will perform construction administration and construction observation services during the period of the construction contract. It is anticipated that the contract will have a time period of three (3) months. Part-time construction observation services will be provided on an as needed basis throughout construction activities up to and including final inspections. The field inspection time has been estimated at 100 hours. Maser Consulting will check on the Contractor's compliance with the contract documents and provide monthly status reports and recommendations regarding payment applications. The following scope is included in this proposal:



- 7.1 Attend and chair the pre-construction meeting and prepare and distribute the minutes of that meeting.
- 7.2 Manage all submittals and develop and maintain a shop drawing log. Maser Consulting shall review for approval/disapproval all shop drawings, schedules, and other submittals.
- 7.3 Perform full-time and part-time construction observation services as required during construction of the proposed improvements. Construction observation services will be provided throughout the duration of construction with a full-time resident construction project manager and other personnel as required. Maser Consulting shall provide observation of construction for conformance with the Contract Documents and approved shop drawings and report any deviations to the Borough and the Contractor.
- 7.4 Review and recommend for approval to the Borough, Contractor's quantities, measurements, and requests for payment on a monthly basis.
- 7.5 Maintain pertinent job records including Contract Drawings, Addenda, Change Orders, Payment Estimates, and Daily Inspection Reports.
- 7.6 Maintain copies of all files related to this project including, but not limited to, all correspondence, permits, Requests for Information, shop drawings/reviews, design modifications, payment estimates, change orders, cost estimates, inspection reports, record plans and specifications, etc.
- 7.7 Negotiate and prepare change orders approved by the Borough as required. Independent cost estimates will be prepared during review of the change orders in order to advise the Borough on the validity of the change orders.
- 7.8 Prepare a punch list of remaining work near completion of the project.
- 7.9 Prepare final estimate and closeout project as per the Contract Specifications and NJDOT requirements (where applicable).

The budget below for this task is based on up to 100 hours of field inspection and 32 hours of office administration assistance.

Phase 7.0 – Hourly/Estimated Fee

\$20,000.00



SCHEDULE OF FEES

PHASE 1.0	TOPOGRAPHIC SURVEY AND BASE MAP PREPARATION	\$ 4,400.00
PHASE 2.0	GEOPHYSICAL SURVEY	\$ 3,950.00
PHASE 3.0	PERMITTING	
	Task 3.1 CAFRA Individual Permit Application	\$ 11,500.00
	Task 3.2 Lump Sum Fee (if required)	\$ 2,750.00
PHASE 4.0	SCHEMATIC DESIGN	\$ 3,550.00
PHASE 5.0	CONSTRUCTION PLANS/TECHNICAL SPECIFICATIONS	\$ 15,500.00
PHASE 6.0	BIDDING SERVICES	\$ 2,800.00
	SUBTOTAL FOR LUMP SUM PHASES 1.0 THRU 6.0	\$ 44,450.00
PHASE 7.0	CONSTRUCTION OBSERVATION & ADMINISTRATION	
	HOURLY/ESTIMATE	\$ 20,000.00
	TOTAL FOR PHASES 1.0 THRU 7.0	\$ 64,450.00

This Contract and Fee Schedule are based upon the contract for Engineering Services for 2020.

EXCLUSIONS AND UNDERSTANDINGS

Services relating to the following items are not anticipated for the project or cannot be quantified at this time. Therefore, any service associated with the following items is specifically excluded from the scope of professional services within this agreement:

1. Services not specifically outlined above.
2. Geotechnical Investigation.
3. Soundings or hydrographic/bathymetric survey.
4. Construction testing services. Expenses incurred for services, equipment, and facilities not furnished by Maser Consulting are charged to the Borough at cost plus, an up-charge not to exceed 25 percent of the invoice for said work.
5. This proposal does not include exploratory or testing services, interpretations, or conclusions related to determination of potential chemical, toxic, radioactive or other type of contaminants on site.
6. Subsurface utility investigation, designating or mapping.
7. Property title search.
8. Printing and reproduction costs in excess of that contained in the contract. Such additional costs are not anticipated since contractors will be purchasing sets of the plans and technical specifications directly from this office.
9. Permit and application fees, which are to be paid directly by the Borough.

If an item not listed herein, or otherwise not specifically mentioned within this agreement, is deemed necessary, Maser Consulting may prepare an addendum to this agreement for your review outlining the scope of additional services and associated professional fees with regard to the extra services.



SECTION II – BUSINESS TERMS & CONDITIONS

The Business Terms and Conditions are in accordance with the original contract agreement.

SECTION III - 2021 TECHNICAL STAFF HOURLY RATE SCHEDULE AND REIMBURSABLE EXPENSES

BILLING TITLES	HOURLY RATES
Project Manager	180.00
Senior Project Specialist.....	170.00
Project Specialist	160.00
Technical Professional	150.00
Technical Specialist.....	140.00
Specialist	130.00
Senior Data Technician	120.00
Senior Technical Assistant	110.00
Technical Assistant.....	100.00
Field Technician	90.00
Data Technician.....	85.00
Survey Crew – 1 Man w/Robotic Equipment.....	170.00
Additional Survey Crew Member	40.00
SUE Crew (designating) – 1 Man.....	120.00
Additional (designating) Member	44.00
SUE Crew (locating) – 2 Man.....	180.00
Additional (locating) Member	40.00
Expert Witness	330.00
Sr. LSRP	245.00
LSRP	220.00

REIMBURSABLE EXPENSES

General Expenses	Cost + 20%
Travel (Hotel, Airfare, Meals).....	Cost + 15%
Sub-Consultants/Sub-Contractors.....	Cost + 25%
Plotting	3.95 / Each
Computer Mylars / Color Plots.....	75.00 / Each
Photocopies.....	0.18 / Each
Color Photocopies	1.95 / Each
Document Binding	3.75 / Each
Portable Media	75.00 / Each
Exhibit Lamination (24" x 36" or larger)	75.00 / Each
Initial Digital Signature	250.00
Additional Digital Signatures	60.00/Each
Mileage Reimbursement*	0.575 / Per Mile
..... Field Vehicle	0.70 / Per Mile

* Mileage reimbursement subject to change based upon IRS standard mileage rate

RATES ARE EFFECTIVE THROUGH DECEMBER 31, 2021



BOROUGH OBLIGATIONS

1. The Borough shall provide Maser Consulting with access to files and allow relevant documents to be utilized.
2. The Borough shall provide application fees for any permits that may be required for the completion of the work.

SECTION IV – CLIENT CONTRACT AUTHORIZATION

I hereby declare that I am duly authorized to sign binding contractual documents. I also declare that I have read, understand, and accept this contract.

Signature

Date

Printed Name

Title

If you find this proposal acceptable, **please sign where indicated above in Section IV, and return one signed copy to this office.** This proposal is valid until February 18, 2021.

Maser Consulting shall comply with requirements of the State of New Jersey Affirmative Action Program. We very much appreciate the opportunity of submitting this proposal and look forward to performing these services for you.

Very truly yours,

MASER CONSULTING INC.

William H. White, III, P.E., P.P., C.M.E.
Sea Bright Borough Engineer

WHW/dmm
cc: Christine Pfeiffer, RMC, Borough Clerk

From: William White <WWhite@maserconsulting.com>
Sent: Tuesday, December 22, 2020 3:31 PM
To: Joseph Verruni; Dave Bahrle; Shawn Thomas
Cc: Christine Pfeiffer
Subject: revised DPW Yard Proposal
Attachments: 201222_whw_proposal_DPW_yard_revised.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

To all,

The proposal was revised to clearly indicate that the exact building size will be determined during the schematic design phase by Borough representatives with assistance from Maser Consulting, which was the intent of the original proposal.

I apologize for any confusion it may have caused.

Happy and Healthy Holidays to all.

Be safe.

Bill

William HR White III, PE, PP, CME, CFM, CPWM

Principal

Maser Consulting

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Maser Consulting will be known as Colliers Engineering & Design in 2021

Maser Consulting is a multi-discipline engineering firm serving public and private clients across the nation. We've proudly gained recognition from ENR as a Top 500 Design Firm, The Zweig Group's Hot Firm List, and as a Best Place to Work Employer!

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From: Marc Leckstein
Sent: Wednesday, December 23, 2020 1:14 PM
To: Rick Brodsky (rb@ansellgrimm.com)
Cc: Christine Pfeiffer; Joseph Verruni; Brian Kelly; Chris Cole; Alison Neary; William White; Seth M. Rosenstein; rmclaughlin@wall-lawyers.com
Subject: RE: Cole Sea Bright LLC/JCP& L/26 New Street, Sea Bright, NJ
Attachments: Letter to M. Leckstein 12.3.2020.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Rick -

We will put this on our first post re-organizational meeting for discussion. That will be a council workshop being held on January 14, 2021.

Sincerely,
Marc A. Leckstein
Councilman
Borough of Sea Bright



ANSELL GRIMM & AARON PC

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LISA GOLDWASSER *

RETIRED
ROBERT I. ANSELL

IN MEMORIAM
LEON ANSEHELEWITZ (1929-1986)
MAX M. BARR (1929-1993)
MILTON M. ABRAMOFF (1935-2004)
DAVID K. ANSELL † (1862-2019)

LICENSED ALSO IN:
D.D.C. • MASS. • N.Y. • WASH.
• PENN. • FLA. • CALIF.

† FELLOW, AMERICAN
ACADEMY OF MATRIMONIAL
LAWYERS

‡ CERTIFIED BY THE SUPREME
COURT OF NEW JERSEY AS A
CIVIL TRIAL ATTORNEY

§ CERTIFIED BY THE SUPREME
COURT OF NEW JERSEY AS A
CRIMINAL TRIAL ATTORNEY

* CERTIFIED BY THE SUPREME
COURT OF NEW JERSEY AS A
MATRIMONIAL LAW ATTORNEY

December 3, 2020

Via e-mail to marc@lecksteinlaw.com

Marc A. Leckstein, Esq.
Leckstein & Leckstein
463 Prospect Avenue
Little Silver, NJ 07739

Re: Cole Sea Bright LLC/Site Plan and Variance Application
Premises: 26 New Street, Block 12, Lot 13
Our File No. 063224-9

Dear Marc:

Pleasure speaking with you yesterday.

The week before the holiday we met JCP&L out at the site. They acknowledge that there is an easement issue with respect to their existing utility pole.

One of JCP&L's suggestions was to get permission from the Borough to relocate the pole from the sidewalk at the East side of the intersection of Front and New to the Sidewalk ROW on the West side of the intersection of New and Front Street.

It looks like there is plenty of room in the sidewalk. JCP&L would just need Sea Bright's consent. There would be no cost to Sea Bright. Initially, we want to confirm that the proposed location for the pole is, in fact, located within the Boro's right-of-way.

Attached are the Tax Map, Aerial, and Street view of the request.

Marc A. Leckstein, Esq.
December 3, 2020
Page 2

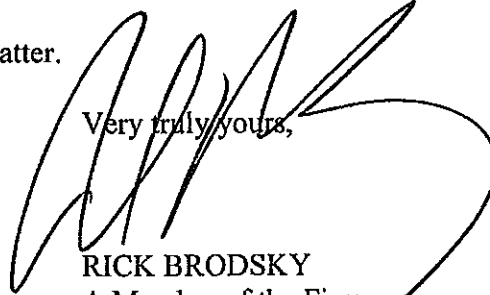
If it is helpful to meet on site, Chris and I are happy to meet you.

Thank you for considering the request. At your suggestion, I have copied Roger McLaughlin and Bill White.

The Coles look forward to resolving the dispute with JCP&L and getting the house built.

Thank you for your attention to this matter.

Very truly yours,

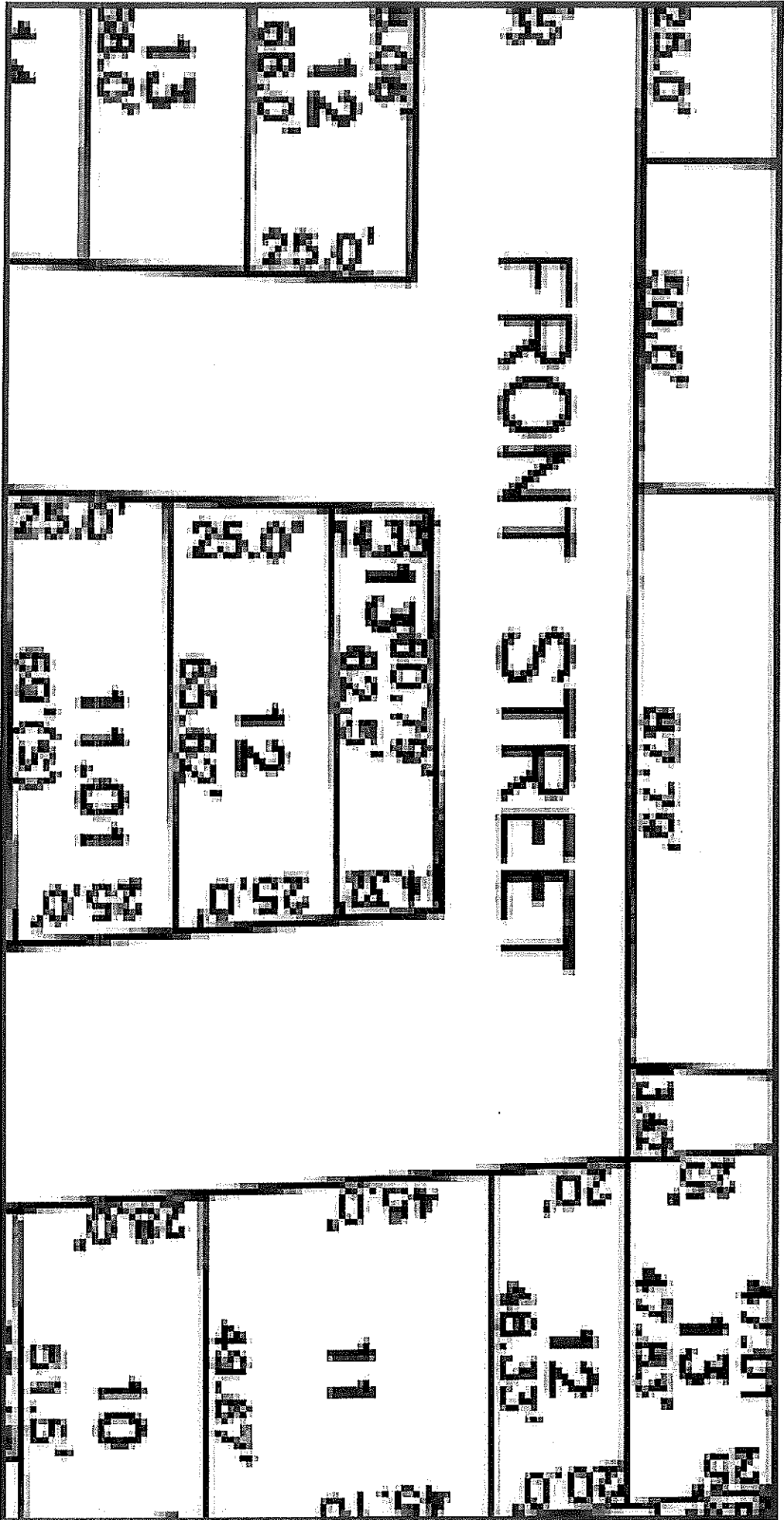


RICK BRODSKY
A Member of the Firm
Direct e-mail: rb@ansellgrimm.com
Direct Dial: 732-643-5296

RB/ahn
Attachments

cc via e-mail:

Christopher and Tracy Cole
Roger McLaughlin, Esq. (rmclaughlin@wall-lawyers.com)
William White III, PE, PP, Maser Consulting P.A.
(wwhite@maserconsulting.com)





Front St

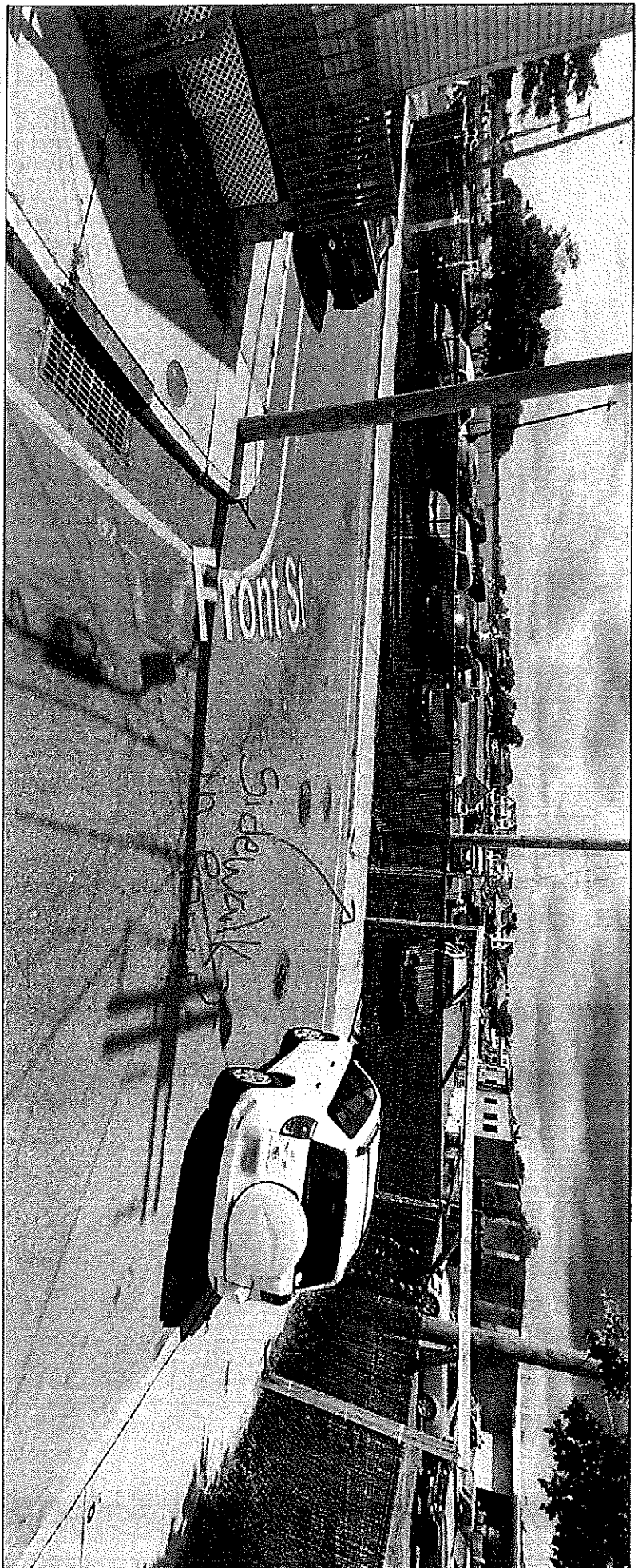
Front St

Front St

24

14 min drive home

ROAD



ORDINANCE NO. 01-2021
CALENDAR YEAR 2021
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Sea Bright in the County of Monmouth finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$127,038.28 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Sea Bright, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Borough of Sea Bright shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$177,853.59. and that the CY 2021 municipal budget for the Borough of Sea Bright be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

INTRODUCED: January 19, 2021

PUBLIC HEARING: February 2, 2021

ADOPTION:

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 January 19, 2021 and will be further considered after a virtual Public Hearing held on February 2, 2021 at the regular council meeting at 7:00 P.M. Meeting access information is posted on the Borough website: www.seabrightnj.org.

Christine Pfeiffer
Clerk, Borough of Sea Bright

Brian P. Kelly
Mayor, Borough of Sea Bright