

**AGENDA
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

FEBRUARY 2, 2021

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/981822893>

United States: +1 (312) 757-3121

Access Code: 981-822-893

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 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.

CONSENT AGENDA

Councilmember _____ offered a motion to approve the items that are considered routine in nature under the consent agenda; seconded by Councilmember _____

Minutes

01-14-2021	Workshop Meeting
01-14-2021	Executive Session
01-19-2021	Regular Meeting

Resolutions:

- | | |
|--------------------|---|
| No. 38-2021 | Authorize the Release of Maintenance Bond for Rooney Plaza, LLC
1136 Ocean Avenue/4 & 6 Surf Street - Block 11, Lots 21-23 |
| No. 39-2021 | Authorize the Release of Maintenance Bond for McLoone's Rum
Runner 816 Ocean Avenue - Block 24, Lots 16, 16.01, 16.02, 16.03 |

- No. 40-2021 Hiring Part-Time Borough Employee - Department of Public Works**
- No. 41-2021 2021 Software Support and License Agreement with
Edmunds & Associates, Inc.**
- No. 42-2021 Authorizing Sewerage Rates and Charges for First, Second, Third
and Fourth Quarters of 2021**
- No. 43-2021 Authorizing a One-Year Renewal of the Shared Services Agreement
with the Borough of Oceanport for Municipal Court Facilities**
- No. 44-2021 Authorizing Receipt of Bids for Street Sweeping Services Within
the Borough of Sea Bright**

Roll Call: Birdsall___ Booker___ Catalano___ Keeler___ Lamia___ Leckstein ___

ORDINANCE(s):

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

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)

Councilmember _____ offered a motion to open the public hearing on Ordinance No. 01-2021; seconded by Councilmember _____

Roll Call: Birdsall___ Booker___ Catalano___ Keeler___ Lamia___ Leckstein ___

Public Hearing (Ord. No. 01-2021)

Councilmember _____ offered a motion to close the public hearing on Ordinance No. 01-2021; seconded by Councilmember _____

Roll Call: Birdsall___ Booker___ Catalano___ Keeler___ Lamia___ Leckstein ___

Councilmember _____ offered a motion to adopt Ordinance No. 01-2021 and advertise according to law; seconded by Councilmember _____

Roll Call: Birdsall___ Booker___ Catalano___ Keeler___ Lamia___ Leckstein ___

INDIVIDUAL ACTION:

Resolutions:

- No. 45-2021 Rescinding Resolutions No. 33-2021 and No. 34-2021 Pertaining to
S. Kelly Corporation - The Mad Hatter**

Motion: _____ **Second:** _____

Roll Call: Birdsall ___ Booker ___ Catalano ___ Keeler ___ Lamia ___ Leckstein ___

No. 33-2021 Authorize Issuance of a "New" Liquor License for the 2019/2020 License Term S. Kelly Corporation – The Mad Hatter

Motion: _____ **Second:** _____

Roll Call: Birdsall ___ Booker ___ Catalano ___ Keeler ___ Lamia ___ Leckstein ___

No. 34-2021 2020/2021 Annual Renewal Liquor License S. Kelly Corporation

Motion: _____ **Second:** _____

Roll Call: Birdsall ___ Booker ___ Catalano ___ Keeler ___ Lamia ___ Leckstein ___

Vouchers: \$1,075,144.85

Councilmember _____ offered a motion to approve the Voucher List dated February 2, 2021 as submitted by the Finance Manager; seconded by Councilmember _____

Roll Call: Birdsall___ Booker___ Catalano___ Keeler___ Lamia___ Leckstein ___

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___ Booker___ Catalano___ Keeler___ Lamia___ Leckstein ___

ADJOURNMENT

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

Roll Call: Birdsall___ Booker___ Catalano___ Keeler___ Lamia___ Leckstein ___

RESOLUTION No. 38-2021
Authorize the Release of Maintenance Bond for
Rooney Plaza, LLC
1136 Ocean Avenue/4 & 6 Surf Street - Block 11, Lots 21-23

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

WHEREAS, the Municipal Land Use Law (N.J.S.A. 40:55D-53) provides for the posting of maintenance guarantees with the governing body after final acceptance of improvements when said improvements have been certified as complete; and

WHEREAS, on August 16, 2017, Rooney Plaza, LLC heretofore deposited with the Borough of Sea Bright a two year maintenance bond in the amount of 15% (\$9,564.00) of the cost of the improvements on premises known as Block 11, Lots 21-23 - 1136 Ocean Avenue / 4 & 6 Surf Street; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, that the maintenance bond in the amount of \$9,564.00 is hereby released, canceled and discharged and authorize the release of any and all remaining escrow, engineering and inspection fees subject to any outstanding fees due.

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

1. Fiscal Officer
2. Construction Official
3. Planning Board Secretary
4. Rooney Plaza LLC

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein

February 2, 2021

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 February 2, 2021.

Christine Pfeiffer, Borough Clerk

RESOLUTION No. 39-2021
Authorize the Release of Maintenance Bond for
McLoone's Rum Runner
816 Ocean Avenue - Block 24, Lots 16, 16.01, 16.02, 16.03

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

WHEREAS, the Municipal Land Use Law (N.J.S.A. 40:55D-53) provides for the posting of maintenance guarantees with the governing body after final acceptance of improvements when said improvements have been certified as complete; and

WHEREAS, on July 20, 2016, McLoone's Rum Runner heretofore deposited with the Borough of Sea Bright a one-year maintenance bond in the amount of 15% (\$15,825.00) of the cost of the improvements on premises known as Block 24, Lots 16, 16.01, 16.02, 16.03 - 816 Ocean Avenue; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, that the maintenance bond in the amount of \$15,825.00 is hereby released, canceled and discharged and authorize the release of any and all remaining escrow, engineering and inspection fees subject to any outstanding fees due.

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

1. Fiscal Officer
2. Construction Official
3. Planning Board Secretary
4. McLoone's Rum Runner

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein

February 2, 2021

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 February 2, 2021.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 40-2021
HIRING PART-TIME BOROUGH EMPLOYEE
DEPARTMENT OF PUBLIC WORKS

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

WHEREAS, there exists a need for additional part-time employee in the Department of Public Works in the Borough of Sea Bright, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth that John Scrivanic, Tinton Falls, New Jersey, be hired and receive the hourly rate of pay as specified in Ordinance No. 22-2019.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds are available in DPW - Salary & Wages for the purpose stated herein.

Michael J. Bascom, CFO

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

1. Finance Manager
2. DPW Director

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein

February 2, 2021

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 February 2, 2021.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 41-2021
2021 SOFTWARE SUPPORT AND LICENSE AGREEMENT
WITH EDMUNDS & ASSOCIATES, INC.

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

WHEREAS, the Borough of Sea Bright wishes to maintain a software support and license agreement for the Sea Bright Administrative Offices from Edmunds & Associates, Inc. for CY2021 as follows:

2021 SOFTWARE MAINTENANCE FEES:

Tax Collections	\$2,275.00
Financial Accounting	\$3,410.00
Utility Billing	\$2,390.00
MCSJ WIPP Tax Annual Fee	\$1,240.00
MCSJ WIPP Utility Annual Fee	\$1,240.00
SS Escrow Accounting	\$ 975.00
WIPP Misc. Annual Fee	\$ 310.00
SS Electronic Requisitions I	\$ 731.00
TOTAL:	\$12, 571.25

WHEREAS, the purchase of goods and services by local contracting units is authorized by Local Public Contracts Laws, N.J.S.40A:11-12; and

WHEREAS, the actual cost for the support agreements listed herein shall be \$12,571.25 for calendar year 2021.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds will be available in the 2021 Temporary Budget and funds for the balance of 2021 will be provided in the Budget for the year 2021, when finally adopted, in the appropriations entitled Tax Collector 7-01-20-145-220, Finance 7-01-20-130-220, Sewer 7-07-55-502-220, for the purpose stated in this resolution.

Michael J. Bascom, CFO

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, hereby authorize the Borough Clerk to execute the support agreements for computer software and maintenance as described herein for the calendar year 2021.

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

1. Edmunds & Associates, Inc.
2. Chief Financial Officer
3. Tax Collector
4. Finance Manager

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein

February 2, 2021

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 February 2, 2021.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 42-2021
AUTHORIZING SEWERAGE RATES AND CHARGES FOR
FIRST, SECOND, THIRD AND FOURTH QUARTERS OF 2021

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

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

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

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

1. The 2021 rates for the first, second, third and fourth quarters will be \$10.90 for every 1,000 gallons of water consumed by the customer.

2. The charges shall be due and payable in 2021/2022 within 10 days after the due date of the municipal sewer utility bill. If the bill is not timely paid, the outstanding bill shall be considered a municipal charge and shall be subject to the same rate of interest which accrues on delinquent taxes.

3. Billing Schedule:

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

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

5. All customers of the municipal sewer utility shall be billed for at least 10,000 gallons quarterly. This minimum charge shall be \$109.00.

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

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

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

BE IT FURTHER RESOLVED, a copy of the sewer utility schedule of rates and charges shall be available for public inspection during normal business hours at the office of the Tax/Sewer Utility Collector at 1099 Ocean Avenue, Sea Bright, New Jersey; and

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

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein

February 2, 2021

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 February 2, 2021.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 43-2021
AUTHORIZING A ONE-YEAR RENEWAL
OF THE SHARED SERVICES AGREEMENT WITH THE
BOROUGH OF OCEANPORT FOR MUNICIPAL COURT FACILITIES

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

WHEREAS, the "Shared Services and Consolidation Act" at N.J.S.A. 40A:65-1 et. seq. allows a local unit to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating local units; and

WHEREAS, N.J.S.A. 2B:12-1 allows two or more municipalities to provide jointly for courtrooms, chambers, equipment, supplies and employees for their municipal courts and to agree to appoint the same persons as certified court administrator without establishing a joint municipal court; and

WHEREAS, the Borough of Sea Bright entered into a shared services agreement dated November 16, 2009 with the Borough of Oceanport for municipal court services commencing on March 1, 2010 which was extended by parties until February 28, 2021; and

WHEREAS, the termination date of the Agreement is February 28, 2021; and

WHEREAS, the Borough of Sea Bright is desirous of renewing the existing shared services agreement with the Borough of Oceanport for an additional one (1) year term for an amount not to exceed \$78,000.00; and

CERTIFICATION OF FUNDS:

I, Michael J. Bascom, CFO, hereby certify that funds not to exceed \$78,000.00 will be provided for this purpose in the appropriation entitled Court #9-01-42-490-235.

Michael J. Bascom, CFO

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright hereby authorize the Mayor and Borough Clerk to execute a one-year extension to the Shared Services Agreement ("agreement") for Municipal Court services between the Borough of Oceanport and the Borough of Sea Bright that incorporates the following additional terms and conditions:

1. The agreement dated November 16, 2009, is hereby extended for a period of one additional year from the date of termination. The new termination date will be February 28, 2022.
2. The annual rate for the services shall be \$78,000.00.
3. All other terms and conditions contained in the original Shared Services Agreement or any prior extensions thereto not modified by this Amendment shall remain in full force and effect.

BE IT FURTHER RESOLVED, that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, hereby authorize and agree to the above referenced terms and conditions of this Amendment by and between the Borough of Oceanport located at 910 Oceanport Way, County of Monmouth, State of New Jersey and authorize the Mayor and Borough Clerk to sign said Amendment.

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

1. Borough of Oceanport
2. Borough of Sea Bright CFO
3. Sea Bright Municipal Court
4. Sea Bright Police Department

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein,

February 2, 2021

CERTIFICATION

I, Christine Pfeiffer, do hereby certify that this is a true copy of a resolution approved by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on February 2, 2021.

Christine Pfeiffer, Borough Clerk

RESOLUTION NO. 44-2021
AUTHORIZING RECEIPT OF BIDS
FOR STREET SWEEPING SERVICES WITHIN
THE BOROUGH OF SEA BRIGHT

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

WHEREAS, the Borough Council is desirous of receiving bids for street sweeping services; and

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that it does hereby authorize the Borough Clerk to advertise for bids for the aforesaid service as per the specifications on file and to be received by the Borough Administrator at the Municipal Building, 1099 Ocean Avenue, Sea Bright, New Jersey on a date to be determined.

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

1. Finance Manager
2. CFO
3. Deputy Director – Department of Public Works

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein

February 2, 2021

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 February 2, 2021.

Christine Pfeiffer, Borough Clerk

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

RESOLUTION NO. 45-2021
A RESOLUTION RESCINDING RESOLUTIONS
NO. 33-2021 AND NO. 34-2021 PERTAINING TO
S. KELLY CORPORATION - THE MAD HATTER

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

WHEREAS, at the public business meeting of the Borough Council on January 19, 2021, the Council considered the applications of S. Kelly Corporation to authorize the issuance of a "new" alcoholic beverage license and for the renewal of the inactive license held by S. Kelly Corporation for the 2019-2020, 2020-2021 and 2021-2022 license terms; and

WHEREAS, after a public hearing at which representations were made by and on behalf of the licensee, the Borough Council conditionally approved Resolutions No. 33-2021 and No. 34-2021, subject to the review by the Borough Attorney of the financing documents and financing arrangements represented to be in place by the licensee; and

WHEREAS, the Borough Attorney has advised the Borough Council that the documents provided by the licensee do not evidence a completed financing transaction and that the licensee has been unable to provide proof of receipt of initial funding;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth and State of New Jersey, that Resolution No. 33-2021 and Resolution No. 34-2021, adopted on January 19, 2021 be and the same are hereby rescinded.

BE IT FURTHER RESOLVED that the pending applications of S. Kelly Corporation shall be further considered by the Borough Council at its next public business meeting of February 16, 2021.

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

1. Division of Alcoholic Beverage Control
2. Department of Police
3. S. Kelly Corporation

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein

February 2, 2021

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 February 2, 2021.

Christine Pfeiffer, Borough Clerk

RESOLUTION No. 33-2021
(Carried from 2020 - Res. No. 190-2020)
**Authorize Issuance of a "New" Liquor License
For the 2019/2020 License Term
S. Kelly Corporation – The Mad Hatter**

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

WHEREAS, pursuant to N.J.S.A. 33:1-12.18, a Verified Petition was submitted to the Division of Alcoholic Beverage Control of the State of New Jersey by S. Kelly Corporation (License No.1343-33-011-007), for a special ruling to authorize the issuance of a "new" license based upon failure to renew due to circumstances beyond licensee's control or other extraordinary circumstances; and

WHEREAS, in connection therewith, the owner of said license filed the 12-page application, received tax clearance and has paid all the required Plenary Retail Consumption License fees for the 2019-2020 license term; and

WHEREAS, this licensee has also requested relief pursuant to N.J.S.A. 33:1-12.39 to allow for the renewal of an inactive license for the 2019-2020, 2020-2021 and 2021-2022 license term(s); and

WHEREAS, on November 6, 2020, the Borough of Sea Bright received a copy of the ruling from the Acting Director, Department of Law and Public Safety, Division of Alcoholic Beverage Control granting the relief sought in the Verified Petition allowing the 2019-2020 license term to be considered for a new license and granting relief for inactive status for the license terms 2019-2020, 2020-2021 and 2021-2022; and

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

WHEREAS, the Governing Body has considered the foregoing.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, that the following Class C Plenary Retail Consumption License be issued for the 2019-2020 license term pursuant to the special rulings granted by the Acting Director, Department of Law and Public Safety, Division of Alcoholic Beverage Control:

License No. 1343-33-011-007
Licensee: S. Kelly Corporation t/a The Mad Hatter
Borough of Sea Bright, Monmouth County, New Jersey
Status: Inactive

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

1. Division of Alcoholic Beverage Control
2. Department of Police
3. S. Kelly Corporation

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein

February 2, 2021

CERTIFICATION

I, Christine Pfeiffer, do hereby certify that this is a true copy of a resolution approved by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on February 2, 2021.

Christine Pfeiffer, Borough Clerk

RESOLUTION No. 34-2021
(Carried from 2020 - Res. No. 191-2020)
2020/2021 Annual Renewal Liquor License
S. Kelly Corporation

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

WHEREAS, pursuant to N.J.S.A. 33:1-12.39, an application was made to the Division of Alcoholic Beverage Control of the State of New Jersey by S. Kelly Corporation d/b/a/ The Mad hatter for a special ruling to permit the renewal of inactive license No.1343-33-011-007; and

WHEREAS, in connection therewith, the owner of said license filed the necessary annual renewal application for a Class C License, received tax clearance and has paid all the required fees to renew their 2020-2021 Plenary Retail Consumption License; and

WHEREAS, on November 6, 2020, the Borough of Sea Bright received a copy of a letter from the Division of Alcoholic Beverage Control signed by James B. Graziano, Acting Director of the Department of Law and Public Safety, enclosing a Special Ruling permitting the filing and consideration of a annual renewal application for the above referenced inactive license for the 2019-2020, 2020-2021 and 2021-2022 license terms. This Ruling merely determined that good cause exists for the issuing authority to consider the application for renewal; and

WHEREAS, it is within the purview of the local issuing authority to either grant or deny an application for renewal in the reasonable exercise of its discretion; and

WHEREAS, the Governing Body has considered the foregoing.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, that the following Class C Plenary Retail Consumption License be renewed for a one-year license term, 2020-2021 as follows:

License No. 1343-33-011-007
Licensee: S. Kelly Corporation
Borough of Sea Bright, Monmouth County, New Jersey
Status: Inactive

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

1. Division of Alcoholic Beverage Control
2. Department of Police
3. S. Kelly Corporation

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein

February 2, 2021

CERTIFICATION

I, Christine Pfeiffer, do hereby certify that this is a true copy of a resolution approved by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on February 2, 2021.

Christine Pfeiffer, Borough Clerk

**VOUCHER LIST
FEBRUARY 2, 2021
BOROUGH OF SEA BRIGHT**

01062	ALL HANDS FIRE EQUIPMENT, LLC 20-01458 12/18/20 PUMP OPS TRAINING	Open	500.00
01042	ATLANTIC TOMORROWS OFFICE 21-00109 01/27/21 A&E	Open	803.68
00631	BARG'S LAWN & GARDEN SHOP, INC 21-00073 01/20/21 BLDGS. & GRDS. MAT. & SUPPLIES	Open	45.12
	21-00117 01/28/21 STREETS & ROADS- MAINT. OF EQU	Open	29.13
			74.25
01631	BOROUGH OF OCEANPORT 21-00124 01/28/21 COURT	Open	6,500.00
2557	C.M.R.S.- FP (US POSTAL SRVC) 21-00129 01/28/21 POSTAGE	Open	600.00
2680	CINTAS 20-01311 11/09/20 Buildings & Grounds	Open	148.11
	20-01312 11/09/20 Beach-Materials & Supplies	Open	126.69
	20-01408 12/08/20 BEACH- MATERIALS & SUPPLIES	Open	177.37
	20-01410 12/08/20 BLDGS. & GRDS. - MAT. & SUPPL.	Open	123.11
	20-01411 12/08/20 BEACH - MATERIALS & SUPPLIES	Open	82.81
	21-00081 01/20/21 BEACH- MATERIALS & SUPPLIES	Open	132.37
	21-00082 01/20/21 BEACH - MATERIALS & SUPPLIES	Open	73.72
			864.18
2555	CJM ASSOC. OF SEA BRIGHT 21-00126 01/28/21 LEASE	Open	500.00
02231	COUSINS LANDSCAPING 21-00072 01/20/21 BLDGS. & GRDS. MAINT. OF	Open	1,480.00
2528	DCH FORD 21-00120 01/28/21 STREETS- VEHICLE MAINT.	Open	60.95
	21-00121 01/28/21 STREETS- VEHICLE MAINTENANCE	Open	114.69
			175.64
2710	HOLMDEL TOWNSHIP 21-00125 01/28/21 FINANCE	Open	3,312.50
01526	JCP & L 21-00133 01/28/21 ELECTRIC	Open	4,248.16
00297	JESSE A. HOWLAND & SONS, INC. 21-00127 01/28/21 LEASE	Open	1,705.00
01784	JUNGLE LASERS, LLC 21-00094 01/26/21 BLDG. DEPT	Open	80.00
2264	KETCHAM, MICHELLE 21-00061 01/19/21 CLERK	Open	64.58
01603	M & N VENTURES, LLC 21-00118 01/28/21 STREETS- MATERIALS & SUPPLIES	Open	96.00
2417	MARLIN BUSINESS BANK 21-00130 01/28/21 POSTAGE	Open	94.00
01801	MASER CONSULTING, P.A. 21-00084 01/21/21 ENGINEER	Open	657.70

00106	MGL FORMS-SYSTEMS, LLC 21-00097 01/26/21 TAX FORMS	Open	435.50
2724	MIDDLETOWN TRAILER SUPPLY 21000014 01/06/21 STRTS. & RDS. - MATERIAL & SUP	Open	84.90
00110	MONM CNTY REGIONAL HEALTH 21-00067 01/20/21 PUBLIC HEALTH	Open	15,341.53
02045	MONMOUTH COUNTY SPCA 21-00086 01/21/21 ANIMAL CONTROL	Open	325.00
00188	MONMOUTH/OCEAN TCTA 21-00092 01/22/21 TAX COLLECTOR	Open	80.00
00190	MUNICIPAL CLERKS ASSOC OF NJ 21-00062 01/19/21 CLERK	Open	250.00
01399	NEW JERSEY AMERICAN WATER 21-00087 01/21/21 WATER	Open	1,039.83
00131	NJ CONFERENCE OF MAYORS 21-00090 01/21/21 A&E	Open	295.00
00671	NJ DEPT OF COMMUNITY AFFAIRS 21-00095 01/26/21 BLDG. DEPT	Open	481.00
00113	NJ NATURAL GAS COMPANY 21-00096 01/26/21 NATURAL GASNJ	Open	2,438.74
00502	NJ STATE LEAGUE/MUNICIPALITIES 21-00089 01/21/21 DUES	Open	289.00
00885	OCEAN TWP FIRE DISTRICT NO. 2 21-00123 01/28/21 FIRE MARSHAL	Open	300.00
01309	OCEANPORT BOARD OF EDUCATION 20-00807 07/15/20 SCHOOL TAX	Open	52,042.00
2525	POOR JOHNS PORTABLE TOILETS 21-00107 01/27/21 BEACH	Open	1,086.00
01463	PUMPING SERVICES, INC. 20-01400 12/08/20 SEWER	Open	1,832.00
00164	RAIN, WILLIAM 21-00093 01/26/21 HEALTH	Open	144.60
2728	READY FRESH BY NESTLE 21-00134 01/28/21 WATER	Open	311.50
2733	RUSSELL REID WASTE DISPOSAL CO 20-01359 11/17/20 SEWER- MAINTENACE OF EQUIP.	Open	3,560.00
01554	SEA BRIGHT SERVICE CENTER 21-00074 01/20/21 STREETS & RDS. VEHICLE MAINT.	Open	295.07
00027	SEABOARD WELDING SUPPLY, INC. 21-00085 01/21/21 DPW	Open	14.50
00053	SHORE REGIONAL HIGH SCHOOL 20-00809 07/15/20 SCHOOL TAX	Open	208,955.00
00125	SPAHR, PATRICIA 21-00059 01/19/21 TAX COLLECTOR	Open	50.00
	21-00138 01/29/21 TAX COLLECTOR	Open	50.00

		100.00
02225	STAPLES ADVANTAGE	
20-00482	04/24/20 OFFICE SUPPLIES	Open 222.13
20-01253	10/27/20 OFFICE SUPPLIES	Open 234.87
20-01276	10/30/20 CLERK	Open 19.57
21-00044	01/15/21 POLICE: OFFICE SUPPLIES	Open 94.59
21-00055	01/15/21 STREETS & RDS. - OFFICE SUPPL.	Open 115.31
21-00056	01/15/21 STREETS & RDS. - OFFICE SUPPL.	Open 62.70
21-00111	01/28/21 POLICE - OFFICE SUPPLIES	Open 566.64

		1,315.81
2723	SUPREME KOURTS, LLC	
20-01387	12/04/20 BLDGS. & GRDS. MISC.	Open 6,270.00
00192	TAX COLL & TREAS ASSOC OF NJ	
21-00088	01/21/21 TAX COLLECTOR	Open 100.00
01285	THE HOME DEPOT	
21-00057	01/15/21 POLICE: OFFICE EQUIPMENT	Open 284.80
01779	TIMOTHY HILL ELECTRIC CO., INC	
20-01264	10/29/20 Heater install 4 New Street	Open 999.00
00523	TREASURER, COUNTY OF MONMOUTH	
21-00068	01/20/21 OPEN SPACE TAX	Open 62,508.17
00223	TREASURER, COUNTY OF MONMOUTH	
21-00069	01/20/21 COUNTY TAX	Open 525,034.77
00439	TREASURER, COUNTY OF MONMOUTH	
21-00070	01/20/21 LIBRARY TAXES	Open 38,977.32
2658	VERIZON	
21-00137	01/29/21 SEWER	Open 79.94
2291	VERIZON	
21-00139	01/29/21 FIOS	Open 183.99
02061	VERIZON WIRELESS	
21-00108	01/27/21 CELL	Open 1,153.90
21-00110	01/27/21 CELLS	Open 185.77
21-00131	01/28/21 FIRE	Open 268.11

		1,607.78
01791	VERRUNI, JOSEPH	
21-00066	01/20/21 A&E	Open 300.00
00058	WILLOW CLEANERS, INC.	
21-00106	01/27/21 POLICE	Open 687.75
	Total:	949,806.19

MANUAL CHECKS

21-00060	BORO OF SEA BRIGHT HEALTH INS. FUND	\$8,228.51
1/19/2021	JAN. IMPRESSED BILLING/BENEMAX	
21-00136	DAVID HODER ASSOCIATES	\$260.00
1/29/2021	PLAN. BRD:ENGINEER REVIEW/ESCROW ACCT.	
21-00135	GANNETT NJ	\$22.50
1/28/2021	PLAN. BRD:LEGAL NOTICE/ESCROW ACCT	

21-00132 1/28/2021	LEON S. AVAKIAN, INC. ENGINEER:PLOT PLAN/ESCROW ACCTS	\$860.00
21-00063 1/19/2021	UNITED STATES POSTAL SERVICE SEWER:2020 4/Q BILLING	\$1,000.00
20-01447 12/15/2020	INTRON TECHNOLOGY SOLUTIONS VIDEO CONFERENCE SYSTEM/COVID-19	\$6,350.00
21-00065 1/19/2021	MONMOUTH MUNICIPAL JOINT INSURANCE FUND 1ST INSTALLMENT/2021	\$106,030.00
21-00105 1/27/2021	ROONEY PLAZA, LLC RETURN OF ESCROW FUNDS	\$2,387.65
21-00091 1/22/2021	STATE OF NJ - DEP SEWER:PERMIT FEE/RIVER ST. PUMP STATION	\$200.00

TOTAL MANUALS: \$125,338.66

TOTAL BILL LIST: \$1,075,144.85