

**AGENDA  
REGULAR MEETING  
BOROUGH OF SEA BRIGHT**

**OCTOBER 5, 2021**

**SEA BRIGHT, NEW JERSEY**

**TO ATTEND THIS MEETING REMOTELY PLEASE USE THE FOLLOWING LINK:**

<https://global.gotomeeting.com/join/638658293>

United States: +1 (646) 749-3335

Access Code: 638-658-293

**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**

09-21-2021 Regular Meeting

**Resolutions**

**Res No. 166-2021**                      Authorizing Receipt of Bids for Summer Businesses to Operate on the Sea Bright Municipal Beach

**Res No. 167-2021**                      Approving the Settlement Agreement Between S&S Roofing, Inc. ("S&S" Or "Plaintiff") and Kelso Construction Company, Inc. ("Kelso"), The Borough of Sea Bright ("Sea Bright") and Travelers Casualty and Surety Company of America ("Travelers")

**Roll Call:**    Birdsall\_\_\_\_ Booker\_\_\_\_ Catalano\_\_\_\_ Keeler\_\_\_\_ Lamia\_\_\_\_ Leckstein \_\_\_\_

**INDIVIDUAL ACTION/New Business:**

**Vouchers: \$421,225.56**

Councilmember \_\_\_\_\_ offered a motion to approve the Voucher List dated October 5, 2021 as submitted by the Finance Manager; seconded by Councilmember \_\_\_\_\_

**Roll Call:** Birdsall\_\_\_\_ Booker\_\_\_\_ Catalano\_\_\_\_ Keeler\_\_\_\_ Lamia\_\_\_\_ Leckstein \_\_\_\_

**ANNOUNCEMENT:**

The Borough Council is in receipt of the 2020 Municipal Audit.

**MAYOR AND COUNCIL COMMITTEE COMMENTS**

**EXECUTIVE SESSION:**

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

**Resolution to discuss:** Litigation – Beach Club Tax Appeals (Martin Allen, Esq.)

**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. 166-2021**  
**AUTHORIZING RECEIPT OF BIDS**  
**SUMMER BUSINESSES TO OPERATE**  
**ON THE SEA BRIGHT MUNICIPAL BEACH**

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

**WHEREAS**, the Borough Council is desirous of receiving bids for the following  
businesses to operate on the Municipal Beach during the summer season:

- 1) Skim Board Camp
- 2) Outdoor Workout Classes on Basketball Court
- 3) Surf Camp
- 4) Yoga
- 5) Volleyball

**WHEREAS**, specifications for the aforesaid will be on file and available in the  
Borough Clerk's Office during regular business hours and on the Borough website:  
[www.seabrightnj.org](http://www.seabrightnj.org).

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of  
Sea Bright, County of Monmouth, State of New Jersey does hereby authorize the  
Borough Clerk to advertise for bids for the aforesaid items as per the specifications  
on file and will be received by the Borough Clerk, 1099 Ocean Avenue, Sea Bright,  
New Jersey 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. Beach Manager
3. CFO

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

October 5, 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 October 5, 2021.

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

**RESOLUTION NO. 167 - 2021**

**A RESOLUTION APPROVING THE SETTLEMENT AGREEMENT BETWEEN S&S ROOFING, INC. ("S&S" OR "PLAINTIFF") AND KELSO CONSTRUCTION COMPANY, INC. ("KELSO"), THE BOROUGH OF SEA BRIGHT ("SEA BRIGHT") AND TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA ("TRAVELERS")**

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

**WHEREAS**, the Plaintiff and Kelso entered into a contract for work to be performed at the Sea Bright Pavilion pursuant to a contract between Kelso and Sea Bright (the "Project"); and

**WHEREAS**, Kelso and S&S entered into a Subcontract relating to, inter alia, certain siding and insulation work regarding the Project ("Subcontract"); and

**WHEREAS**, a dispute has arisen between the parties regarding work under the contract, which resulted in the institution of a lawsuit captioned S & S Roofing, Inc. v. Kelso Construction Co., Inc., the Borough of Sea Bright, and The Travelers Indemnity Company, pending in the Superior Court of New Jersey, Monmouth County, bearing Docket number MON-L-1412-20 ("the Action"); and

**WHEREAS**, Travelers issued a certain Labor and Material Bond, Bond No. 106619171, on behalf of Kelso, as principal, in favor of Sea Bright, as obligee, to secure Kelso's performance under the Contract and payment by Kelso to those parties supplying labor and/or materials to Kelso in connection with the Project ("Payment Bond"); and

**WHEREAS**, on or about October 25, 2019, S&S filed a lien with Sea Bright in the principal amount of \$96,864.43 as to the Project ("Lien"); and

**WHEREAS**, Travelers filed with Sea Bright a Lien Discharge Bond, Bond No. 107430859, in the principal amount of \$193,728.86, discharging the Lien; and

**WHEREAS**, the Parties have conferred and they wish to resolve their dispute amicably, without the need for further proceedings; and

**WHEREAS**, the Parties have come to a Settlement Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the Borough Council approves the Settlement Agreement between the parties.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, the Mayor is authorized to sign and the Clerk to attest the said Settlement Agreement.

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

October 5, 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 October 5, 2021.

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

**VOUCHER LIST  
OCTOBER 5, 2021  
BOROUGH OF SEA BRIGHT**

02227	APOLLO SEWER & PLUMBING, INC.		
21-00458	04/15/21 BEACH- MAINTENANCE & REPAIRS	Open	350.00
21-00459	04/15/21 BEACH- MAINTENANCE & REPAIRS	Open	425.00
21-00900	08/04/21 BEACH- MAINT. & REPAIRS	Open	375.00
21-00901	08/04/21 BEACH- MAINTENANCE & REPAIRS	Open	450.00
21-00902	08/04/21 BEACH- MAINTENACE & REPAIRS	Open	850.00
21-00903	08/04/21 BEACHO MAINTENACE & REPAIRS	Open	425.00
21-01068	09/14/21 BEACH- MAINT OF EQUIPMENT	Open	725.00
21-01160	09/28/21 SEWER- MAINT. OF OTHER EQUIP.	Open	175.00
21-01162	09/28/21 BEACH- MAINTENANCE & REPAIR	Open	475.00
			-----
			4,250.00
2593	ASSOCIATION OF N.J. RECYCLERS		
21-01156	09/28/21 STREETS- CONFERENCE & MEETINGS	Open	125.00
2626	AUTOMATIC PROTECTION SYSTEMS		
21-01151	09/28/21 B&G- FIRE/SAFETY	Open	320.00
21-01152	09/28/21 B&G- FIRE/SAFETY	Open	320.00
			-----
			640.00
01631	BOROUGH OF OCEANPORT		
21-01175	09/29/21 COURT	Open	6,500.00
01939	BROWNS POINT MARINE SERV, LLC		
21-01070	09/14/21 Repairs - M43	Open	476.47
00230	CERTIFIED SPEEDOMETER		
21-01134	09/17/21 POLICE	Open	667.00
2555	CJM ASSOC. OF SEA BRIGHT		
21-01172	09/29/21 LEASE	Open	500.00
2777	CME ASSOCIATES		
21-01053	09/07/21 ENGINEER	Open	1,431.50
2386	CRANEY INTERPRETING SERVICE		
21-01163	09/28/21 COURT	Open	100.00
00088	CROWN TIRE MART		
21-00253	03/02/21 STREETS- VEHICLE MAINTENANCE	Open	846.00
02172	CUSTOM BANDAG		
21-01148	09/28/21 New Tires - 4377	Open	2,585.88
2286	DIFRANCESCO, BATEMAN, KUNZMAN		
21-01144	09/28/21 LEGAL	Open	2,280.00
2587	EASTERN JANITORIAL CO.		
21-01158	09/28/21 BEACH- CONTRACTUAL	Open	1,050.00
01817	FINEGAN, GEORGE		
21-01167	09/29/21 ANIMAL	Open	547.21
00979	GIBBONS, P.C.		
21-01179	09/30/21 LEGAL	Open	2,048.89
2281	GRAINGER		
20-00526	05/01/20 POLICE	Open	106.50
02252	GRAINGER, INC.		
21-01155	09/28/21 STREETS- MINOR TOOLS & HRDWRE.	Open	90.80
01887	HEIM ELECTRONICS, INC.		
21-01182	09/30/21 ALARMS	Open	140.97
2700	HIGHWAY EQUIPMENT OF NJ, INC.		
21-01149	09/28/21 BEACH- VEHICLE MAINTENANCE	Open	1,298.69
21-01157	09/28/21 STREETS- MAINT. OF EQUIPMENT	Open	915.85
			-----

			2,214.54
2710	HOLMDEL TOWNSHIP		
	21-01170 09/29/21 FISCAL OFFICER	Open	3,312.50
2297	INTEGRATED TECHNICAL SYSTEMS		
	21-01145 09/28/21 PARKING	Open	540.00
2783	JDR HOME REPAIR & MAINTENANCE		
	21-01159 09/28/21 STREETS- MAINTENANCE OF EQUIP.	Open	350.00
00297	JESSE A. HOWLAND & SONS, INC.		
	21-01171 09/29/21 LEASE	Open	1,705.00
01784	JUNGLE LASERS, LLC		
	21-01168 09/29/21 BLDG. DEPT	Open	150.00
2552	MANNING, TY		
	21-01174 09/29/21 POLICE	Open	1,225.00
00688	MONMOUTH COUNTY POLICE ACADEMY		
	21-01082 09/15/21 POLICE-EDUCATION AND TRAINING	Open	1,500.00
02045	MONMOUTH COUNTY SPCA		
	21-01176 09/29/21 ANIMAL	Open	325.00
2382	MORGAN, MICHAEL		
	21-01142 09/28/21 POLICE	Open	259.50
2473	NAYLORS AUTO PARTS		
	21-01098 09/15/21 Parts - 4367	Open	170.56
01399	NEW JERSEY AMERICAN WATER		
	21-01143 09/28/21 WATER	Open	4,706.07
00113	NJ NATURAL GAS COMPANY		
	21-01146 09/28/21 NATURAL GAS	Open	450.27
00894	NOLZE GARAGE DOOR, LLC		
	21-01095 09/15/21 B&G- MAINTENANCE OF B&G	Open	180.00
2778	OCEAN CASINO RESORT		
	21-01073 09/14/21 NJLOM Room Reservation	Open	336.00
00885	OCEAN TWP FIRE DISTRICT NO. 2		
	21-01173 09/29/21 FIRE OFFICIAL	Open	300.00
01309	OCEANPORT BOARD OF EDUCATION		
	21-00795 07/07/21 SCHOOL TAX	Open	72,010.00
2290	PORZIO, BROMBERG & NEWMAN		
	21-01178 09/30/21 LEGAL	Open	525.41
00071	R.R. DONNELLEY & SONS COMPANY		
	21-01016 08/30/21 CLERK	Open	105.00
01554	SEA BRIGHT SERVICE CENTER		
	21-00916 08/04/21 Maintenance 4367	Open	122.40
	21-01097 09/15/21 POLICE-VEHICLE MAINTINANCE	Open	883.90
	21-01150 09/28/21 STREETS- VEHICLE MAINTENANCE	Open	58.45
	21-01161 09/28/21 STREETS- VEHICLE MAINTENANCE	Open	53.45
			-----
			1,118.20
00053	SHORE REGIONAL HIGH SCHOOL		
	21-00794 07/07/21 HIGH SCHOOL TAX	Open	180,818.00
02225	STAPLES ADVANTAGE		
	21-00915 08/04/21 POLICE: OFFICE SUPPLIES	Open	203.55
	21-01019 09/02/21 Podium for Pavilion	Open	83.99
			-----
			287.54
2779	THE PEDDLER OF LONG BRANCH		
	21-01135 09/17/21 POLICE	Open	298.39

02114	TWO RIVERS WATER RECLAMATION		
21-01169	09/29/21 SEWER	Open	121,088.00
2291	VERIZON		
21-01166	09/29/21 FIOS	Open	89.04
2658	VERIZON		
21-01180	09/30/21 SEWER	Open	528.02

**Total: \$419,415.26**

**Manual Checks**

21-01164	COFONE CONSULTING GROUP		\$1,260.00
9/28/2021	PLAN. BOARD:REVIEW/ESCROW ACCTS.		
21-01181	DAVID HODER ASSOCIATES		\$140.00
9/30/2021	PLAN. BOARD:ENGINEER REVIEW/ESCROW ACCT.		
21-01165	GANNETT NJ		\$15.30
9/28/2021	PLAN. BOARD:REVIEW/ESCROW ACCTS.		
21-01147	NJ DEPT. OF TRANSPORTATION		\$395.00
9/27/2021	HIGHWAY OCCUPANCY PERMIT		

**TOTAL: \$1,810.30**

**GRAND TOTAL: \$421,225.56**