

**AGENDA  
REGULAR MEETING  
BOROUGH OF SEA BRIGHT**

**DECEMBER 21, 2021**

**SEA BRIGHT, NEW JERSEY**

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

<https://global.gotomeeting.com/join/975131701>

OR DIAL: (646) 749-3335

Access Code: 975-131-701

**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 \_\_\_\_

**PROCLAMATION Presentation by 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**

11-10-2021    Workshop Meeting  
11-10-2021    Executive Session  
11-15-2021    Regular Meeting

**Resolutions:**

- No. 183-2021      Authorizing the Rental of The Cecile F. Norton Community Center for the Monmouth Council Boy Scouts of America Pinewood Derby Event**
- No. 184-2021      Refund of 2021 Tax Overpayment Block 10, Lot 18**

- No. 185-2021**      **2021 Budget Authorizing the Transfer of Funds in Accordance with N.J.S.A. 40A:5-58**
- No. 186-2021**      **Cancellation of Tax or Delinquent Amounts Less Than \$10.00 in the Borough of Sea Bright**
- No. 187-2021**      **Authorizing the Placement of a Municipal Lien in the Amount of \$15,261.68 on the Property Located at 154 Ocean Avenue (Block 34, Lot 2)**
- No. 188-2021**      **Authorizing the Borough of Sea Bright to Re-Establish A Memorial Bench Program**
- No. 189-2021**      **Authorizing the Purchase of Two Vehicles Through State Contracts for the Sea Bright Fire Department**
- No. 190-2021**      **Authorizing the Purchase of Police Firearms Through New Jersey State Contract #17-Fleet-00732**
- No. 191-2021**      **Authorizing Hiring of Police Officers Designation of Special Law Enforcement Officers - Class II**
- No. 192-2021**      **Approving Proposal for Engineering Services for Shrewsbury Riverfront Park – Phase II Improvements Colliers Engineering & Design**
- No. 193-2021**      **Change Order #2, Increase Contract amount by \$18,450.00 2020 Roadway Improvement Project Black Rock Enterprises, LLC**
- No. 194-2021**      **2017 and 2018 Roadway and Sewer Improvement Project Change Order No. 2 (Decrease) and Posting of a Maintenance Bond Black Rock Enterprises, LLC**
- No. 195-2021**      **Consideration of Award Lease Agreement for Volleyball League**
- No. 196-2021**      **Consideration of Award Lease Agreement for Skim Board Camp**
- No. 197-2021**      **Consideration of Award Lease Agreement for Yoga Classes**
- No. 198-2021**      **Authorizing the Borough of Sea Bright to Enter into Cooperative Pricing Agreement With HGACBuy Cooperative Purchasing Program**
- No. 199-2021**      **Borough Council Stipend**
- No. 200-2021**      **Authorizing the Purchase/Trade-In of DPW Equipment Barber Surf Rake 600HD**
- No. 201-2021**      **Refund of Overpayment of Building Department Permit Fees**
- No. 202-2021**      **Consideration of Award Lease Agreement for Surf Camp – will be forthcoming**

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

**ORDINANCE(s):**

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

**ORDINANCE NO. 15-2021**  
**BOROUGH OF SEA BRIGHT**  
**COUNTY OF MONMOUTH, STATE OF NEW JERSEY**  
**AN ORDINANCE CREATING CHAPTER 141 OF THE BOROUGH CODE**  
**TO BE ENTITLED "BOARDING AND ROOMING HOUSES"**

Councilmember \_\_\_\_\_ offered a motion to open the public hearing on Ordinance No. 15-2021; seconded by Councilmember \_\_\_\_\_

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

**Public Hearing (Ord. No. 15-2021)**

Councilmember \_\_\_\_\_ offered a motion to close the public hearing on Ordinance No. 15-2021; seconded by Councilmember \_\_\_\_\_

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

Councilmember \_\_\_\_\_ offered a motion to adopt Ordinance No. 15-2021 and advertise according to law; seconded by Councilmember \_\_\_\_\_

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

**INDIVIDUAL ACTION/New Business:**

**Vouchers: \$740,572.99**

Councilmember \_\_\_\_\_ offered a motion to approve the Voucher List dated December 21, 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. 183-2021**  
**AUTHORIZING THE RENTAL OF THE CECILE F. NORTON COMMUNITY CENTER  
FOR THE MONMOUTH COUNCIL BOY SCOUTS OF AMERICA  
PINWOOD DERBY EVENT**

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

**WHEREAS**, the Borough is in receipt of a request from the Monmouth Council Boy Scouts of America to hold their annual Pinewood Derby event in the gymnasium in the Cecile F. Norton Community Center, 1167 Ocean Avenue, on April 8 & 9, 2022; and

**WHEREAS**, Councilman Lamia recommended to Council that they approve the rental of the gymnasium for the non-profit organization; and

**WHEREAS**, the Borough Council is in agreement to allow the Monmouth Council Boy Scouts of America to use the community center/gymnasium for their Pinewood Derby event at no charge.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the Monmouth Council Boy Scouts of America Pinewood Derby event on April 8 & 9, 2022 is hereby approved to be held in the Cecile F. Norton Community Center; and

**BE IT FURTHER RESOLVED**, the Monmouth Council Boy Scouts of America will not be charged a fee for use of the facility; and

**BE IT FURTHER RESOLVED**, that the Special Events Secretary and Borough Clerk shall insure that any required permits are obtained and all necessary insurance documents are filed with the Borough; and

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

1. Special Events Secretary
2. Councilman Lamia
3. Borough Police Chief
4. Monmouth Council Boy Scouts of America

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

December 21, 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 December 21, 2021.

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

**RESOLUTION NO. 184-2021**  
**REFUND OF 2021 TAX OVERPAYMENT**  
**BLOCK 10, LOT 18**

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

**WHEREAS**, an overpayment was made by 34 Beach Street, LLC/Gary Weiner for 2021 property taxes in the amount of \$1,739.77 for Block 10, Lot 18, 34 Beach Street; and

**WHEREAS**, the Tax Collector recommends that the tax overpayment should be refunded to 34 Beach Street, LLC/Gary Weiner; and

**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 Tax Collector and the Finance Manager to refund the said 2021 tax overpayment of \$1,739.77 to 34 Beach Street, LLC/Gary Weiner; and

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

1. Tax Collector
2. Finance Manager
3. 34 Beach Street, LLC/Gary Weiner

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

December 21, 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 December 21, 2021.

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

**RESOLUTION NO. 185-2021**  
**2021 Budget**  
**Authorizing the Transfer of Funds in**  
**accordance with N.J.S.A. 40A:5-58**

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

**WHEREAS**, there exists a need to transfer budget balances in certain line item appropriations of the 2021 budget; and

**WHEREAS**, N.J.S.A. 40A:5-58 authorizes the transfer of appropriations, during the last two (2) months of the calendar year, to said budget where adopted heretofore by the governing body by two-thirds vote thereof.

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, (not less than 2/3 of all members of the Governing Body concurring) that the Borough Administrator and Chief Financial Officer are hereby authorized to make the following transfers in accordance with the annexed schedule for the Current and Beach Utility Funds:

**Schedule of Budget Transfers – December 21, 2021**

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

1. Director of Finance
2. Borough Auditor
3. Fiscal Officer

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

December 21, 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 December 21, 2021.

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Christine Pfeiffer, Borough Clerk

**BOROUGH OF SEA BRIGHT  
SCHEDULE OF BUDGET TRANSFERS  
DECEMBER 21, 2021**

<u>CURRENT FUND</u>		<u>TO</u>		<u>FROM</u>
GENERAL ADMIN	OE		\$	5,500.00
CLERK	S&W	\$ 1,000.00		
PARKING	OE	\$ 3,000.00		
STREETS & ROADS	OE	\$ 1,500.00		
BUILDINGS AND GROUNDS	OE	\$ 15,000.00		
ELECTRIC	OE		\$	15,000.00
<hr/>				
		<b>\$ 20,500.00</b>	<b>\$</b>	<b>20,500.00</b>
<hr/>				

<u>BEACH UTILITY</u>		<u>TO</u>		<u>FROM</u>
BEACH – DUNE MAINTENANCE	OE		\$	2,600.00
BEACH	OE	\$ 2,600.00		
<hr/>				
		<b>\$ 2,600.00</b>	<b>\$</b>	<b>2,600.00</b>
<hr/>				

**RESOLUTION NO. 186-2021**  
**CANCELLATION OF TAX OR DELINQUENT AMOUNTS**  
**LESS THAN \$10.00 IN THE BOROUGH OF SEA BRIGHT**

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

**WHEREAS**, N.J.S.A. 40A:5-17 allows for the cancellation of property tax overpayments or sewer amounts of less than \$10.00; and,

**WHEREAS**, the governing body may authorize the Tax Collector to process without further action on their part, any cancellation of the property tax overpayments or delinquencies of less than \$10.00.

**NOW, THEREFORE BE IT RESOLVED**, that the Governing Body of the Borough of Sea Bright, County of Monmouth, State of New Jersey, does hereby authorize the Tax Collector to cancel said tax amounts as indicated below.

<b>BLOCK</b>	<b>LOT</b>	<b>NAME</b>	<b>YEAR</b>	<b>AMOUNT</b>
24	1.01	State of NJ-DEP	2014	\$ 1.08
24	11	Thomas Maher	2015	\$ .05
30	56	North Winds at SB	2020	\$ .53
30	61	North Winds at SB	2020	\$ .31
30	62	North Winds at SB	2020	\$ .37

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

1. Tax Collector
2. Chief Financial Officer
3. Borough Auditor

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

December 21, 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 December 21, 2021.

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



**RESOLUTION NO. 187-2021**  
**AUTHORIZING THE PLACEMENT OF A MUNICIPAL LIEN**  
**IN THE AMOUNT OF \$15,261.68 ON THE PROPERTY LOCATED**  
**AT 154 OCEAN AVENUE (BLOCK 34, LOT 2)**

Councilmember \_\_\_\_\_ offered the following Resolution and moved its adoption;  
seconded by Councilmember \_\_\_\_\_ :

**WHEREAS**, the Borough Code Official determined that the structure on the property located at 154 Ocean Avenue, also known as Lot 2 in Block 34 on the Tax Map of the Borough of Sea Bright, failed to comply with the Borough's property maintenance code and constituted an immediate threat to the health, safety and well-being of the public; and

**WHEREAS**, the Borough Code Official advised Council that the property owner was issued code violations dating back to 2010 and failed to correct the condition/violations as ordered; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2.3, the Borough Council adopted Resolution No. 35-2021 on January 19, 2021, authorizing the demolition of the aforesaid structure; and

**WHEREAS**, demolition of the structure was performed by Frank Lurch Demolition Company on October 15, 2021 on behalf of the Borough; and

**WHEREAS**, the Borough incurred the following expenses in connection with said demolition:

NJ Natural Gas disconnection fee	\$ 750.00
Fran Lurch Demolition Company	\$ 12,600.00
Sea Bright Special Duty Police	\$ 1,100.00
Sea Bright Department of Public Works	\$ 520.58
Administration/Building Dept. Hours	\$ 291.10
<b>TOTAL:</b>	<b>\$ 15,261.68</b>

**WHEREAS**, these charges shall be imposed on the property in the form of a municipal lien for the above services pursuant to Section 110.3 (2018) of the International Property Maintenance Code.

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the Tax Collector be and is hereby authorized to place the above-mentioned demolition costs in the amount of \$15,261.68 as a lien against the property commonly known as 154 Ocean Avenue (Block 34, Lot 2), Sea Bright, New Jersey; and

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

1. Property Owner – 154 Ocean Avenue
2. Borough Attorney
3. Tax Collector

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

December 21, 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 December 21, 2021.

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

**RESOLUTION NO. 188-2021**  
**AUTHORIZING A FEE INCREASE – MEMORIAL BENCH PROGRAM**  
**THE BOROUGH OF SEA BRIGHT**

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

**WHEREAS**, by way of Resolution No. 180-2018, the Borough Council approved the re-establishment of a memorial bench program giving the general public the opportunity to honor a loved one, friend or private business by sponsoring an outdoor seating bench to be placed in the Borough of Sea Bright; and

**WHEREAS**, due to the increase in the cost of the benches, the Borough of Sea Bright will offer benches including a commemorative plaque as follows:

Cost of Bench: \$1,750.00

Location Options: Public/Beach Walkways/Anchorage Park/Swing Bridge Park  
Final approval of all locations will be at the discretion of  
Borough Officials.

**WHEREAS**, a payment plan shall be made available for those wishing to take advantage of same.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the fee for the Memorial Bench Program for outdoor seating benches is hereby approved and will be available to the general public at the above-mentioned cost; and

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

1. Department of Public Works
2. Finance Manager
3. Beautification Committee Chair

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

December 21, 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 December 21, 2021.

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

**RESOLUTION NO. 189-2021**  
**AUTHORIZING THE PURCHASE OF TWO VEHICLES THROUGH  
STATE CONTRACTS FOR THE SEA BRIGHT FIRE DEPARTMENT**

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

**WHEREAS**, the Borough of Sea Bright Fire Department has the need to purchase additional vehicles for use by the Department; and

**WHEREAS**, by way of Resolution No. 165-2021, adopted on September 21, 2021, the governing body approved the purchase of two Chevrolet pick-up trucks under state contract from Gentilini Motors in Egg Harbor Township, New Jersey, for an amount not to exceed \$69,347.08; and

**WHEREAS**, the Fire Chief received notification from Gentilini Motors that they are unable to fulfil the order; and

**WHEREAS**, the Sea Bright Fire Department wishes to purchase the two vehicles from a new vendor under state contract as indicated below:

<b><u>State Contract No.</u></b>	<b><u>Vendor</u></b>	<b><u>Description</u></b>	<b><u>Price</u></b>
ESCNJ 20/21-09-NJ #65MCECCPS	Mall Chevrolet 75 Haddonfield Road Cherry Hill, NJ	2022 Chevrolet Silverado Crew 2500 Quantity: 2 (\$37,082.13 each)	\$74,164.26

**WHEREAS**, in accordance with the requirements of the Local Public Contract Law N.J.S.A. 40:11-12 et seq., and the regulations promulgated thereunder, the purchase of goods and services by local contracting units without competitive bids is authorized from vendor(s) with state contracts; and

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds in the amount of \$4,817.18 are available in Fire Department O/E 1-01-25-265-200 and the remaining \$69,347.08 is available in Bond Ordinance No. 12-2021 for the purpose stated herein.

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Michael J. Bascom

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, do hereby authorize the aforementioned vehicles to be purchased under state contract from Mall Chevrolet by the Sea Bright Fire Department for an amount not to exceed \$74,164.26; and

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

1. Fire Department Chief
2. Finance Manager

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

December 21, 2021

**CERTIFICATION**

I, Christine Pfeiffer, Borough Clerk, do hereby certify that the foregoing is a Resolution adopted by the Borough of Sea Bright, County of Monmouth, State of New Jersey at a Council Meeting held December 21, 2021.

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Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 190-2021**  
**AUTHORIZING THE PURCHASE OF POLICE FIREARMS THROUGH**  
**NEW JERSEY STATE CONTRACT #17-FLEET-00732**

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

**WHEREAS**, the Borough of Sea Bright Police Department has the need to purchase firearms; and

**WHEREAS**, maintenance and replacement of this equipment on a timely basis is essential to both public and officer safety; and

**WHEREAS**, the Borough of Sea Bright, as a Local Government Unit, may without advertising for bids, purchase any goods or services under any contract for such goods or services entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury pursuant to the provision of N.J.S.A. 40A: 11-12; and

**WHEREAS**, the State Division of Purchase and Property has awarded a contract to: Atlantic Tactical, 772 Corporate Circle, New Cumberland, PA 17070 as an authorized distributor under the New Jersey State Contract #17-FLEET-00732; and

**WHEREAS**, Atlantic Tactical has quoted the State Contract pricing for this equipment to be \$4,919.88 (see Exhibit "A"). There will be an amount of credit (\$2,089.00) applied to the final cost due to some of the Borough's current equipment which will be traded-in to offset the total cost of this purchase (see Exhibit "B").

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds not to exceed \$2,830.88 are available in Police O/E for the purpose stated herein:

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**Michael J. Bascom**

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey hereby authorizes the purchase of firearms as designated by the Sea Bright Police Department on Exhibit "A" in the amount of \$4,919.88 from Atlantic Tactical, New Cumberland, PA, and trade in the firearms listed on Exhibit "B" for a credit of \$2,089.00 resulting in a total purchase cost of \$2,830.88.

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

1. Khristi Jacobs, Finance Manager
2. Brett Friedman, Police Chief

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

December 21, 2021

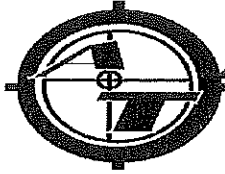
**CERTIFICATION**

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 December 21, 2021.

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Christine Pfeiffer, Borough Clerk

Exhibit A



# ATLANTIC TACTICAL™

OUTFITTING AMERICA'S HEROES

772 Corporate Circle, New Cumberland, PA 17070  
 Phone: 717-774-3339 • 800-781-2677 • FAX: 717-774-4463

REMIT TO: 3319 Anvil Place, Raleigh, NC 27603

SALES QUOTE	
SQ-80721107	11/24/2021



Customer	Contact	Ship To
SEA BRIGHT POLICE DEPT. Accounts Payable 1099 E OCEAN AVE SEA BRIGHT NJ 07760 Tel: (732)-842-0010, (732)-842-1430 Fax: (732)-842-8351		SEA BRIGHT POLICE DEPT. 1167 Ocean Ave. SEA BRIGHT NJ 07760 Tel: (732)-842-0099 Fax: (732)-741-3116

Account	Terms	Due Date	Account Rep	Schedule Date	
354081	Voucher-Complete Invoice	12/24/2021	Kyle Gallagher	11/24/2021	
Quotation	PO #	Reference	Ship VIA	Page	Printed
SQ-80721107	MCCUE	COLT	FDX G Ground	1	11/24/2021

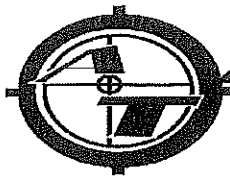
Item	Description	Qty	Price	UM	Discount	Amount
1	CONTRACT	1	\$0.00	EA		\$0.00
2						
3	COLCR6920EPR Colt MSR CR6920-EPR Enhanced Patrol Rifle 5.56MM 16.1 Inch Barrel Matte Black - UPC 098289023643	4	\$1,090.58	EA		\$4,362.32
4						
5	K55-BK Magpul PMAG 30rnd Gen M3 5.56 no window-COLOR:Black	20	\$14.48	EA		\$289.60
6	MAG939-BK MAGPUL MS1@ QDM Sling - Black	4	\$66.99	EA		\$267.96

REMIT PAYMENT TO: Atlantic Tactical, 3319 Anvil Place, Raleigh NC 27603	<b>Tax Details</b> EXEMPT \$0.000 EXEMPT-CLOTHING \$0.000	<b>Taxable</b> XXXXXXXXXXXXXXX Total Tax \$0.00 Exempt \$4,919.88 Total \$4,919.88	\$0.00
I certify under the penalties of law the within bill is correct, that the articles have been furnished as stated, that no bonus has been given or received by any persons within my knowledge and that the amount stated is justly due and owing and reasonable in charge.	<b>Payment Details</b> 01/01/00 No Payment History	Balance \$4,919.88 - 1,125 = 964	1183 mm 11
Signature _____ Date _____			
Print Name _____			

2,896.79 / 100

2,830.88

Exhibit B



**ATLANTIC TACTICAL™**  
**OUTFITTING AMERICA'S HEROES**

772 Corporate Circle, New Cumberland, PA 17070  
 Phone: 717-774-3339 • 800-781-2677 • FAX: 717-774-4463

REMIT TO: 3319 Anvil Place, Raleigh, NC 27603

SALES QUOTE	
SQ-80720070	11/17/2021



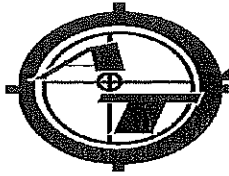
<b>Customer</b> SEA BRIGHT POLICE DEPT. Accounts Payable 1099 E OCEAN AVE SEA BRIGHT NJ 07760 Tel: (732)-842-0010, (732)-842-1430 Fax: (732)-842-8351	<b>Contact</b>	<b>Ship To</b> SEA BRIGHT POLICE DEPT. 1167 Ocean Ave. SEA BRIGHT NJ 07760 Tel: (732)-842-0099 Fax: (732)-741-3116
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<b>Account</b> 354081	<b>Terms</b> Voucher-Complete Invoice	<b>Due Date</b> 12/17/2021	<b>Account Rep</b> Kyle Gallagher	<b>Schedule Date</b> 11/17/2021
<b>Quotation</b> SQ-80720070	<b>PO #</b> JAMES MCCUE	<b>Reference</b> #410658 QSBPD-	<b>Ship VIA</b> FDX G Ground	<b>Page</b> 1
				<b>Printed</b> 11/22/2021

L	Item	Description	Qty	Price	UM	Discount	Amount
1	TRADE-IN	Trade- In Remington 11-87, Police, 12ga, 18", 20 YO, Fixed/Steel Sights, Good Condition	3	\$375.00	EA		\$1,125.00
2							
3	TRADEVALID	Trade in quotes valid for 120 days.  Trade value is based on conveyed condition and is therefore subject to change upon final inspection of the weapons and/or accessories.  Engraving, paint or other damage to the finish may negatively affect the trade value.  \$15 deduction will be taken for each missing magazine.	1	\$0.00	EA		\$0.00

REMIT PAYMENT TO: Atlantic Tactical, 3319 Anvil Place, Raleigh NC 27603  I certify under the penalties of law the within bill is correct, that the articles have been furnished as stated, that no bonus has been given or received by any persons within my knowledge and that the amount stated is justly due and owing and reasonable in charge.  Signature _____ Date _____  Print Name _____	<b>Tax Details</b> EXEMPT \$0.000	<b>Taxable</b> XXXXXXXXXXXXXXX	\$0.00
	<b>Payment Details</b> 01/01/00 No Payment History	<b>Total Tax</b> Exempt Total	\$0.00 \$1,125.00 \$1,125.00
		<b>Balance</b>	\$1,125.00

Exhibit B



# ATLANTIC TACTICAL™

OUTFITTING AMERICA'S HEROES

772 Corporate Circle, New Cumberland, PA 17070  
 Phone: 717-774-3339 • 800-781-2677 • FAX: 717-774-4463

REMIT TO: 3319 Anvil Place, Raleigh, NC 27603

SALES QUOTE	
SQ-80720074	11/17/2021



<b>Customer</b>	<b>Contact</b>	<b>Ship To</b>
SEA BRIGHT POLICE DEPT. Accounts Payable 1099 E OCEAN AVE SEA BRIGHT NJ 07760 Tel: (732)-842-0010, (732)-842-1430 Fax: (732)-842-8351		SEA BRIGHT POLICE DEPT. 1167 Ocean Ave. SEA BRIGHT NJ 07760 Tel: (732)-842-0099 Fax: (732)-741-3116

<b>Account</b>	<b>Terms</b>	<b>Due Date</b>	<b>Account Rep</b>	<b>Schedule Date</b>
354081	Voucher-Complete Invoice	12/17/2021	Kyle Gallagher	11/17/2021
<b>Quotation</b>	<b>PO #</b>	<b>Reference</b>	<b>Ship VIA</b>	<b>Page</b> <b>Printed</b>
SQ-80720074	JAMES MCCUE	#410659 QSBPD-	FDX G Ground	1   11/22/2021

Item	Description	Qty	Price	UM	Discount	Amount
1	TRADE-IN Trade- In Ruger Mini 14, 5.56, 18.5", 14 YO, Adjustable Sights, Semi-Auto, (2) Magazines, Excellent Condition	2	\$482.00	EA		\$964.00
2						
3	TRADEVALID Trade in quotes valid for 120 days.  Trade value is based on conveyed condition and is therefore subject to change upon final inspection of the weapons and/or accessories.  Engraving, paint or other damage to the finish may negatively affect the trade value.  \$15 deduction will be taken for each missing magazine.	1	\$0.00	EA		\$0.00

REMIT PAYMENT TO: Atlantic Tactical, 3319 Anvil Place, Raleigh NC 27603  I certify under the penalties of law the within bill is correct, that the articles have been furnished as stated, that no bonus has been given or received by any persons within my knowledge and that the amount stated is justly due and owing and reasonable in charge.	<b>Tax Details</b> EXEMPT \$0.000	<b>Taxable</b> XXXXXXXXXXXXXXX	\$0.00
	<b>Payment Details</b> 01/01/00    No Payment History	<b>Total Tax</b> <b>Exempt</b> <b>Total</b>	\$0.00 \$964.00 \$964.00
Signature _____ Date _____  Print Name _____		<b>Balance</b>	\$964.00

## Weapon Trade-Ins / Serial #s

James McCue Jr. <jmccue@seabrightnj.org>

Mon 12/6/2021 10:24 AM

To: Khristi Jacobs <kjacobs@seabrightnj.org>

Khristi,

The following firearms are to be traded in to Atlantic Tactical for credit towards new firearms purchases.

- 1: Remington 11-87 Semiautomatic Shotgun Serial # PC452493
- 2: Remington 11-87 Semiautomatic Shotgun Serial # PC462922
- 3: Remington 11-87 Semiautomatic Shotgun Serial # PC462974
- 4: Ruger Mini-14 Semiautomatic Rifle Serial # 580-52303
- 5: Ruger Mini-14 Semiautomatic Rifle Serial # 580-52238

### James A. McCue, Jr.

Lieutenant #122

Sea Bright Police Department

1099 Ocean Avenue

Sea Bright, NJ 07760

24 Hour Dispatch: (732) 842-0010

Office: (732) 842-0018x218

Fax: (732) 842-8351

Email: [jmccue@seabrightnj.org](mailto:jmccue@seabrightnj.org)



This e-mail is Advisory, Consultative, or Deliberative Material

### NOTICE OF CONFIDENTIALITY

This E-mail message and its attachments (if any) are intended solely for the use of the addressees hereof. In addition, this message and the attachments (if any) may contain information that is confidential, privileged and exempt from disclosure under applicable law. If you are not the intended recipient of this message, you are prohibited from reading, disclosing, reproducing, distributing, disseminating or otherwise using this transmission. Delivery of this message to any person other than the intended recipient is not intended to waive any right or privilege. If you have received this message in error, please promptly notify the sender by reply E-mail and immediately delete this message from your system.



**RESOLUTION NO. 191-2021**  
**AUTHORIZING HIRING OF POLICE OFFICERS**  
**DESIGNATION OF SPECIAL LAW ENFORCEMENT OFFICERS - CLASS II**

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

**WHEREAS**, there exists a need for Class II Special Officers in the Police Department in the Borough of Sea Bright; and

**WHEREAS**, Chief Brett Friedman requested that the following be appointed as Class II Special Police Officers upon fulfilling the required training at the Monmouth County Police Academy.

**CLASS II SPECIAL POLICE OFFICERS**  
Alexa N. Susino (formerly appointed Class I)  
Stanley J. Wojdylak  
Kyle P. Walker

**CERTIFICATION OF FUNDS**

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

---

**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, do hereby authorize the appointments of Alexa N. Susino, Stanley J. Wojdylak, and Kyle P. Walker as Class II Special Officers in the Sea Bright Police Department, to be paid at an hourly rate as specified in Ordinance No. 04-2021; and

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

1. Khristi Jacobs, Finance Manager
2. Brett Friedman, Police Chief
3. Alexa N. Susino
4. Stanley J. Wojdylak
5. Kyle P. Walker

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

December 21, 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 December 21, 2021.

---

Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 192-2021**  
**APPROVING PROPOSAL FOR ENGINEERING SERVICES FOR**  
**SHREWSBURY RIVERFRONT PARK – PHASE II IMPROVEMENTS**  
**COLLIERS ENGINEERING & DESIGN**

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

**WHEREAS**, the Borough of Sea Bright has a need for professional engineering services associated with the Shrewsbury Riverfront Park Phase II Improvements project; and

**WHEREAS**, the Borough Administrator obtained a proposal from Borough Engineer, William H.R. White III, of Colliers Engineering & Design for professional engineering services for the Shrewsbury Riverfront Park Phase II Improvements project in the amount of \$11,560.00

**WHEREAS**, the Borough Administrator has reviewed and recommends Council approve the proposal received from Colliers Engineering & Design, attached hereto.

**CERTIFICATION OF FUNDS:** I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds in the amount of \$11,560.00 are available in Bond Ordinance No. 03-2021 for the purposes stated herein.

---

Michael J. Bascom CFO

**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 Borough Council does hereby approve the proposal submitted by Colliers Engineering & Design dated August 27, 2021 for professional engineering services associated with the Shrewsbury Riverfront Park – Phase II Improvements project, for the sum of \$11,560.00; and

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

1. William White – Colliers
2. Finance Manager
3. Department of Public Works
4. Frank Lawrence

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

December 21, 2021

**Certification**

I, Christine Pfeiffer, Borough Clerk, do hereby certify the foregoing is a Resolution adopted by the Borough of Sea Bright, in the County of Monmouth, State of New Jersey, at a Council Meeting held on December 21, 2021.

---

Christine Pfeiffer, Borough Clerk

331 Newman Springs Road  
Suite 203  
Red Bank New Jersey 07701  
Main: 877 627 3772

D2



Engineering  
& Design

August 27, 2021

**VIA EMAIL**

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

Proposal for Professional Services  
Shrewsbury Riverfront Park  
Borough of Sea Bright, Monmouth County, New Jersey  
Colliers Engineering & Design Proposal No.: SEA-200P

Dear Mr. Verruni,

Colliers Engineering & Design, Inc. (DBA Maser Consulting) is pleased to submit this proposal for additional professional engineering associated with the preparation of bid specifications and permitting for the construction of Shrewsbury River Riverfront Park Phase 2. This phase of the project proposes installation of a pre-engineered gazebo, irrigation system and numerous plantings.

This 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 order in which the following scope of services 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 Colliers Engineering & Design (CED) to meet project schedules.

**Section I – Scope of Services**

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

**PHASE 1.0 CAFRA APPLICATION**

Our review of the New Jersey Department of Environmental Protection's (NJDEP) GeoWeb mapping for this property revealed that the property is located within the State's Coastal Zone and is subject to the provisions of the Coastal Zone Management Rules. Specifically, the property is located within the Coastal Area Facility Review Act (CAFRA) area. The construction of recreational facilities at public parks located within the CAFRA Zone require a CAFRA permit. Gazebos that are less than 200 S.F. in size are eligible for authorization under Coastal General Permit No. 13. However, we understand

Maser Consulting is now Colliers Engineering & Design



Engineering  
& Design

that the gazebo proposed for this property is 400 S.F. in size and will therefore require an Individual CAFRA permit. The NJDEP's Division of Land Resource Protection (DLRP) is responsible for processing CAFRA applications.

CED will prepare an application for a CAFRA Permit to the DLRP to construct the proposed 400 S.F. gazebo on Block 24, Lot 1.01 in the Borough of Sea Bright, Monmouth County, New Jersey. 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 Section N.J.A.C. 7:7-23.1-23.6 of the Coastal Zone Management Rules. The EIS/CS will include environmental assessment and compliance with those applicable policies contained within the Coastal Zone Management Rules (N.J.A.C. 7:7-1.1, et seq.). The application will include a LURP No. 2 application form, 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 (wetlands, waters, beaches, dunes, mean high water line, coastal wetland boundary, etc.), all existing and proposed accessways to tidal waterways and their shores on site, and all proposed filling, grading, excavation and clearing.

The "Endangered or Threatened Wildlife or Vegetation Species Habitat" and "Critical Wildlife Habitats" and cultural resource policies will be addressed with the results of a Natural Heritage Database search as performed by the NJDEP and by accessing available State and local databases.

**Phase 1.0 - Lump Sum Fee** **\$5,800.00**

**The scope of work above does not include the \$3,000.00 CAFRA Application Fee. In addition, there will be public notice (postage) and newspaper fees ranging from \$800.00 to \$1,000.00 that will be invoiced as reimbursable expenses.**

#### **PHASE 2.0 PREPARATION OF BID DOCUMENTS**

CED will assist Borough Representatives and the retained Landscape Architect, Steven Krog, with the preparation of bid specifications. Construction Plans have been prepared by Mr. Krog and are presently being finalized. We will collaborate on the preparation of technical specifications and bid documents as required by the Public Contracts Law for the installation of the Gazebo, irrigation system, plantings, etc. The Gazebo is a pre-engineered structure. The foundations were designed by others and installed with the Phase 1 Improvements. It is anticipated that there will be one coordination meeting. It is estimated that it will take approximately 20 staff hours and 4 management hours for QA/QC and oversight.

**Phase 2.0 - Hourly/Estimated Fee** **\$3,760.00**

**PHASE 3.0 BIDDING SERVICES**

During this phase, CED will:

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

**Phase 3.0 – Lump Sum Fee (Optional) \$2,000.00**

Schedule of Fees

For your convenience, we have broken down the total estimated cost of the project into the categories identified within the scope of services.

Phase Name	Fee
PHASE 1.0 CAFRA IP APPLICATION	\$ 5,800.00
PHASE 2.0 PREPARATION OF BID DOCUMENTS (HOURLY ESTIMATED)	\$ 3,760.00
PHASE 3.0 BIDDING SERVICES (OPTIONAL)	\$ 2,000.00
<b>TOTAL FEE</b>	<b>\$11,560.00</b>

This Contract and Fee Schedule are based upon the acceptance of CED’s Business Terms and Conditions contained in Section II of this Contract. Delivery, mileage, printing and reproduction, overnight mail service and postage costs are not included in the lump sum fees and will be added to each monthly invoice.

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.

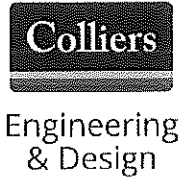
- Services not specifically outlined in Section I.
- Subsurface utility investigation, designating or mapping.
- Printing and reproduction costs.
- Permit and application fees, which are to be paid directly by the Borough.
- Design of structures and foundations.
- Geotechnical investigation and analysis.



Engineering  
& Design

- Meeting and site visits beyond those noted above. Any requested additional meeting and site visits will be billed on an hourly basis.
- Special inspections, reports or signoffs.

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



**Section II – Business Terms and Conditions**

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

**Section III – Rate Schedule**

The Rate Schedule is on file with the Borough.

**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. Alternatively, please provide a copy of a Municipal Resolution or Purchase Order approving this proposal, which shall constitute authorization. Invoices are due within 30 days. This proposal is valid until October 27, 2021.

We very much appreciate the opportunity of submitting this proposal and look forward to performing these services for you.

Sincerely,

Colliers Engineering & Design, Inc.  
(DBA Maser Consulting)

William H.R. White, III, PE, PP, CME, CPWM, CFM  
Sea Bright Borough Engineer

WHW/dmm  
cc: Christine Pfeiffer, RMC, Borough Clerk (via email)  
Frank Lawrence (via email)  
Leonardo E. Ponzio, PLS, Colliers Engineering & Design (via email)

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**RESOLUTION NO. 193-2021**  
**Change Order #2, Increase Contract amount by \$18,450.00**  
**2020 Roadway Improvement Project**  
**Black Rock Enterprises, LLC**

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

**WHEREAS**, on April 20, 2021, the Borough Council of the Borough of Sea Bright awarded a contract to Black Rock Enterprises, LLC of Old Bridge, New Jersey for the 2020 Roadway Improvement Program for an amount of \$310,000.00; and

**WHEREAS**, on August 17, 2021, the Borough Council of the Borough of Sea Bright approved Change Order No. 1, an increase of \$15,100.00 of the original contracted amount to \$325,100.00; and

**WHEREAS**, the Borough Consulting Engineer, Leon S. Avakian, Inc., submitted Change Order No. 2, dated November 9, 2021, for an increase of \$18,450.00 which includes: 1) 7 Uniform Traffic Directors for \$3,450.00, and 2) SA2-1 Inline Valve 15" for \$15,000.00, resulting in an increase to the total amount of the contract to \$343,550.00; and

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that the additional funds in the amount of \$18,450.00 are available for the purpose stated herein in the following account: B/O No. 06-2021.

---

**MICHAEL J. BASCOM, CFO**

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Sea Bright in the County of Monmouth, does hereby approve Change Order No. 2, in the amount of \$18,450.00 which increases the contracted amount to \$343,550.00 for the 2020 Roadway Improvement Project awarded to Black Rock Enterprises, LLC; and

**BE IT FURTHER RESOLVED**, that certified copies of this resolution be forwarded to the following:

1. Finance Manager
2. Leon S. Avakian, Inc.
3. Black Rock Enterprises, LLC

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

December 21, 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 December 21, 2021.

---

Christine Pfeiffer, Borough Clerk



**RESOLUTION NO. 194-2021**  
**2017 and 2018 ROADWAY and SEWER IMPROVEMENT PROJECT**  
**CHANGE ORDER NO. 2 (DECREASE) AND POSTING OF A MAINTENANCE BOND**  
**BLACK ROCK ENTERPRISES, LLC**

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

**WHEREAS**, in accordance with Resolution No. 106-2019, approved on May 30, 2019, the Borough Council awarded a contract to Black Rock Enterprises, LLC of Old Bridge, New Jersey for the 2017 and 2018 Roadway and Sewer Improvement Project for an amount not to exceed \$454,881.25; and

**WHEREAS**, Change Order No. 1 was approved January 21, 2020, Resolution No. 37-2020, reducing "B-34" Combination Rolled Concrete Curb and Gutter for a cost reduction of \$28,450.00 and increasing "B-32" 6" X 18" Concrete Vertical Curb installed on Mountainview Way, as identified in the Change Order (attached hereto), for a cost increase of \$28,450.00, resulting in a zero net change to the contract; and

**WHEREAS**, final Change Order No. 2 dated November 29, 2021, was submitted by the project Engineer, Francis W. Mullan, and includes various quantity additions and reductions to reflect as-built quantities and two supplemental items: S-1) Removal and Relocation of W17-1 Speed Hump Sign on Church Street (\$655.36), and S-2) Adjustment of the Contract Completion date to 1/15/2022, resulting in a reduction of the total contract value to \$409,799.31; and

**WHEREAS**, the project engineer also submitted the final payment certificate in the amount of \$84,646.14, which includes the release of the 2% retainage.

**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 Borough Administrator is hereby authorized to execute Change Order No. 2, which decreases the contract in the amount of \$45,081.94 and approve the final payment of \$84,646.14 which includes the release of the 2% retainage to Black Rock Enterprises, LLC, resulting in a final adjusted contract amount of \$409,799.31 for the 2017 and 2018 Roadway and Sewer Improvement Project; and

**BE IT FURTHER RESOLVED** that Black Rock Enterprises, LLC and a surety company shall execute a maintenance bond in the amount of \$102,449.82 which is equal to twenty five percent of the final adjusted contract amount and shall remain in full force and effect for a period of no less than two (2) years from the date of April 8, 2021.

**BE IT FURTHER RESOLVED**, that upon receipt of the maintenance bond, the performance bond (No. CA-3015057) in the amount of \$454,881.25 submitted by Black Rock Enterprises, LLC and Great American Insurance Company is hereby released; and

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

1. Black Rock Enterprises, LLC
2. Great American Insurance Company
3. Finance Manager
4. T&M Associates

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

December 21, 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 December 21, 2021.

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

**RESOLUTION NO. 195-2021**  
**CONSIDERATION OF AWARD**  
**LEASE AGREEMENT FOR VOLLEYBALL LEAGUE**

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

**WHEREAS**, the Borough Council authorized by resolution for the Borough Clerk to duly advertise for vendors to conduct a volleyball league with the option of a one to five-year lease agreement for the use of a portion of property on the Sea Bright Municipal Beach during the summer/fall season; and

**WHEREAS**, the Borough Clerk did duly advertise on October 28, 2021 to receive bids no later than 12 noon on November 19, 2021, for vendors to conduct a volleyball league on the Sea Bright Municipal Beach for a minimum bid amount of \$3,000.00 for the first year; and

**WHEREAS**, in connection therewith one (1) bid was received by the Borough Clerk from Sand Pit Volleyball LLC, Corey Wagner, Tinton Falls, NJ for a five-year lease in the amount of \$3,000; and

**WHEREAS**, after reviewing the bid documents, the Borough Administrator recommends a five-year lease agreement be awarded to Sand Pit Volleyball LLC, Corey Wagner, Tinton Falls, NJ as per the bid proposal.

**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 Mayor and Borough Clerk to execute a five-year lease agreement with Sand Pit Volleyball LLC, Corey Wagner, Tinton Falls, NJ to operate a volleyball league commencing in summer/fall, 2022 according to the terms and conditions outlined in the bid proposal which is on file in the office of the Borough Clerk; and

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

1. Finance Manager
2. Police Department
3. Beach Manager
4. Borough Attorney
5. Sand Pit Volleyball LLC

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

December 21, 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 December 21, 2021.

---

Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 196-2021**  
**CONSIDERATION OF AWARD**  
**LEASE AGREEMENT FOR SKIM BOARD CAMP**

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

**WHEREAS**, the Borough Council authorized by resolution for the Borough Clerk to duly advertise for vendors to conduct a skim board camp with the option of a one to five-year lease agreement for the use of a portion of property on the Sea Bright Municipal Beach during the summer season; and

**WHEREAS**, the Borough Clerk did duly advertise on October 28, 2021 to receive bids no later than 12 noon on November 19, 2021, for vendors to conduct a skim board camp on the Sea Bright Municipal Beach for a minimum bid amount of \$1,000.00 for the first year; and

**WHEREAS**, in connection therewith one (1) bid was received by the Borough Clerk from Jersey Shore Skim Camp, Felecia Stratton, Sea Bright, NJ for a one-year lease in the amount of \$1,000.00; and

**WHEREAS**, after reviewing the bid documents, the Borough Administrator recommends a one-year lease agreement be awarded to Jersey Shore Skim Camp, Felecia Stratton of Sea Bright, New Jersey as per the bid proposal.

**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 Mayor and Borough Clerk to execute a one-year lease agreement with Jersey Shore Skim Camp, Felecia Stratton of Sea Bright, New Jersey to operate a skim board camp on the Sea Bright Municipal Beach commencing in the summer of 2022 according to the terms and conditions outlined in the bid proposal which is on file in the office of the Borough Clerk; and

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

1. Finance Manager
2. Police Department
3. Beach Manager
4. Borough Attorney
5. Jersey Shore Skim Camp

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

December 21, 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 December 21, 2021.

---

Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 197-2021**  
**CONSIDERATION OF AWARD**  
**LEASE AGREEMENT FOR YOGA CLASSES**

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

**WHEREAS**, the Borough Council authorized by resolution for the Borough Clerk to duly advertise for vendors to conduct yoga classes with the option of a one or five-year lease agreement for the use of a portion of property on the Sea Bright Municipal Beach during the summer season; and

**WHEREAS**, the Borough Clerk did duly advertise on October 28, 2021 to receive bids for vendors to conduct yoga classes on the Sea Bright Municipal Beach for a minimum bid amount of \$100.00 for the first year; and

**WHEREAS**, in connection therewith one (1) bid was received by the Borough Clerk from Christa Russo, Highlands, NJ, for a five-year lease in the amount of \$175.00; and

**WHEREAS**, after reviewing the bid documents, the Borough Administrator recommends a five-year lease agreement be awarded to Christa Russo, Highlands, NJ as per the bid proposal.

**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 Mayor and Borough Clerk to execute a five-year lease agreement with Christa Russo, Highlands, NJ in the amount of \$175.00 for the year 2022 to operate yoga classes on a portion of the Sea Bright Municipal Beach to be determined by the Beach Manager, commencing in the 2022 summer season according to the terms and conditions outlined in the bid proposal which is on file in the office of the Borough Clerk; and

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

1. Finance Manager
2. Police Department
3. Beach Manager
4. Borough Attorney
5. Christa Russo

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

December 21, 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 December 21, 2021.

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



**RESOLUTION NO. 199-2021**  
**BOROUGH COUNCIL STIPEND**

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

**WHEREAS**, pursuant to §3-14, Stipends for Elected Officials, of Chapter 3 of the Borough's General Code, members of the governing body who are elected to terms commencing on or after January 1, 2021 will receive annual stipends as referenced below:

Mayor	\$3,000.00
Council President	\$2,500.00
Council Member	\$2,500.00

**WHEREAS**, Jefferey M. Booker, Sr. who was elected to serve his first term as Councilmember commencing January 1, 2021 wishes to dedicate his \$2,500.00 stipend to the Recreation line item in the Borough's budget dedicated to Seniors.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, does hereby acknowledge the annual stipend payable to Councilman Jeffery M. Booker, Sr. to be added to the line item dedicated to Recreation/Seniors in the Borough of Sea Bright budget.

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

1. CFO
2. Finance Manager
3. Councilman Booker

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

December 21, 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 December 21, 2021.

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

**RESOLUTION NO. 200-2021**  
**AUTHORIZING THE PURCHASE/TRADE-IN OF DPW EQUIPMENT**  
**BARBER SURF RAKE 600HD**

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

**WHEREAS**, the Borough of Sea Bright is the owner of a Barber Surf Rake Model 600HD Serial Number 61406, purchased in 2014, which has exceeded its useful life; and

**WHEREAS**, the Borough of Sea Bright, Department of Public Works has the need to purchase a new beach/surf rake to assist in maintaining our beaches; and

**WHEREAS**, the Deputy Director of the Borough of Sea Bright wishes to purchase under HGAC Buy Cooperative Purchasing Agreement, one 600HD Barber Surf Rake with the additional options itemized below, from H. Barber & Sons, Inc., 15 Raytkwich Drive, Naugatuck, CT 06770 for a price of \$62,690.00; and

**Options**

Barber Surf Rake Model 600HD	\$53,751.00
Hot Dip Galvanizing	\$4,115.00
Automatic Finisher Attachment	\$2,132.00
Hydraulic Moldboard	<u>\$2,692.00</u>
	\$62,690.00

**WHEREAS**, there will be an amount of credit (\$10,000.00) applied to the final cost due to the trade-in of the 2014 Barber Surf Rake Model 600HD (Serial No. 61406) resulting in a final cost of **\$52,690.00**; and

**WHEREAS**, in accordance with the requirements of the Local Public Contract Law N.J.S.A. 40:11-11 et seq., and the regulations promulgated thereunder, the purchase of goods and services by local contracting units without competitive bids is authorized from vendor(s) with state contracts.

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, certify that funds in the amount of \$52,690.00 in Beach Capital Outlay for the purpose stated herein.

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**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 purchase of a new Barber Surf Rake 600HD (\$62,690.00) through HGAC Buy Cooperative Purchasing Agreement and the trade-in of the Barber Surf Rake purchased in 2014 (\$10,000.00) for a total cost of **\$52,690.00** from H. Barber & Sons, Inc., Naugatuck, CT; and

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

1. DPW Director
2. Finance Manager
3. H. Barber & Sons, Inc.

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

December 21, 2021

**CERTIFICATION**

I, Christine Pfeiffer, Borough Clerk, do hereby certify that the foregoing is a Resolution adopted by the Borough of Sea Bright, County of Monmouth, State of New Jersey at a Council Meeting held December 21, 2021.

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Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 201-2021**  
**REFUND OF OVERPAYMENT OF**  
**BUILDING DEPARTMENT PERMIT FEES**

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

**WHEREAS**, due to calculation errors, an overpayment of permit fees was collected from the contractor for work taking place at Sea Bright Beach Club, 999 Ocean Avenue, (Block 23, Lot 4), as follows:

<b>PERMIT NO.</b>	<b>OVERPAYMENT AMOUNT</b>	<b>PAID BY CONTRACTOR</b>
2021-143	\$501.00	Sea Bright Solar, LLC
2021-144	<u>\$200.00</u>	23 Cindy Lane
	Total: \$701.00	Ocean Township, NJ

**WHEREAS**, the technical Assistant in the Building Department recommends that the permit overpayments should be refunded to Sea Bright Solar, LLC, 23 Cindy Lane, Ocean Township, NJ; and

**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 Finance Manager to refund the said permit overpayments totaling \$701.00 to Sea Bright Solar, LLC, 23 Cindy Lane, Ocean Township, New Jersey; and

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

1. Building Department
2. Finance Manager
3. Sea Bright Solar, LLC

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

December 21, 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 December 21, 2021.

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



**ORDINANCE NO. 15-2021**  
**BOROUGH OF SEA BRIGHT**  
**COUNTY OF MONMOUTH, STATE OF NEW JERSEY**  
**AN ORDINANCE CREATING CHAPTER 141 OF THE BOROUGH CODE TO BE**  
**ENTITLED "BOARDING AND ROOMING HOUSES"**

**WHEREAS**, N.J.S.A. 40:52-10 authorizes a governing body to make, amend, repeal and enforce ordinances to license and regulate rooming and boarding houses within a municipality which are consistent with rules and regulations promulgated pursuant to N.J.S.A. 55:13B-1 *et seq.*, so long as the municipality notifies the Commissioner of the Department Community Affairs; and

**WHEREAS**, Rooming and Boarding houses are not permitted uses within the Borough, but to the extent that same, including Cooperative Sober Living Residences, are or may be mandated uses by Federal or State law or are permitted by variance, licensing and regulations should occur; and

**WHEREAS**, N.J.S.A. 40:48-2 authorizes a municipality to make, amend, repeal and enforce such ordinances and regulations as it may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants.

**NOW, THEREFORE, BE IT ORDAINED**, by the BOROUGH COUNCIL OF THE BOROUGH OF SEA BRIGHT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY that Borough Code is hereby amended so as to create a new Chapter 141 which shall be entitled "Boarding and Rooming Houses" and read as follows:

**SECTION ONE.**

Chapter 141 of the Code of the Borough of Sea Bright is added as follows:

**CHAPTER 141 BOARDING AND ROOMING HOUSES**

**§ 141-1 *Purpose***

The purpose of this section is to protect the public health and welfare by licensing rooming and boarding houses, pursuant N.J.S.A 40:52-10.

**§ 141-2 *Definitions***

**COOPERATIVE SOBER LIVING RESIDENCE**

Shall mean a cooperative sober living residence licensed pursuant to N.J.S.A. 55:13B-1, *et seq.* and as defined in N.J.A.C. 5:27-2.1 and holding a Class F license from the

Bureau of Rooming and Boarding House Standards in the Division of Codes and Standards of the Department of Community Affairs (the Bureau).

**LICENSING AUTHORITY**

Shall mean the Borough Council of the Borough of Sea Bright.

**OPERATOR**

Shall mean any person, including for the purposes of this section, any corporation or association of persons or any agency or instrumentality of state or local government, which operates or proposes to operate a rooming or boarding house.

**OWNER**

Shall mean the holder of title in fee simple to premises and any lessor or sublessor of whom an operator is or proposes to become a sublessor in connection with an application for a license, or renewal thereof, pursuant to this section.

**POPULATION**

Shall mean the most recent population count reported by the Department of Labor.

**ROOMING OR BOARDING HOUSE**

Shall mean a rooming or boarding house licensed pursuant to N.J.S.A. 55:13B-1 *et seq.* A rooming house is further defined as a boarding house wherein no personal nor financial services are provided to the residents (N.J.S.A. 55:13B-3(h)). It shall include all classes of premises applying for a license as defined in N.J.A.C 5:27-6.

**§141-3 License Required**

- a. Except as provided in paragraph b of this section, no rooming or boarding house shall hereafter be located or operated in the Borough except upon premises licensed for that purpose by the Licensing Authority.
- b. Any rooming or boarding house that is in lawful operation on the date of enactment of this section shall be entitled to continue in operation for one year from the date of enactment and, if the owner of the premises applies for licensure not later than the 60th day next preceding the expiration of that year, until a final determination is made upon that application.

#### **§141-4 License Application**

Application for a license under this section shall be made to the Council. The application shall be by a form which can be obtained from the Borough Clerk.

- a. The application must be accompanied by an application fee of \$200 or such fee as may be prescribed by resolution. The application shall be filed with the Municipal Clerk, who will be required to place the application upon the agenda of the next available meeting of the Council.
- b. The form of application shall require the submission of information and supporting documentation, which will provide a basis upon which the Council may conduct the investigation and reach the conclusions required under this section for the issuance or denial of a license.
- c. It shall be the responsibility of the applicant/owner to obtain information required by this application and to exercise due care and diligence to insure its completeness and accuracy.
- d. All information required from the operator must be duly sworn to by the operator in order to form a valid part of the application.
- e. If the application filed pursuant to this section is denied, 90% of the application fee shall be refunded to the applicant, and 10% retained by the Borough in defraying the expenses of the Licensing Authority in carrying out its functions under this section.
- f. All applications by a natural person, partnership or unincorporated association of natural persons shall be duly sworn to by each of the applicants. An application by a corporation shall be duly sworn to by the president or vice president of the corporation. All statements in the application shall be deemed material, and any person who knowingly misstates any material fact therein shall be guilty of a crime of the fourth degree.
- g. Each application shall designate an operator/manager of the premises. That person must meet the requirements for licensure by the NJ Department of Community Affairs and requirements for licensure of a natural person. There shall be a \$25 fee for a background check on the designated operator/manager. Said fee will apply each time the operator/manager changes.

### **§141-5 *Required Notice***

Every applicant for a license shall, after filing the application, cause notice of the pendency of the application to be published once per week for two weeks successively in a newspaper, printed in the English language, published and circulated in Monmouth County. The notice shall include the time and place of the Public hearing before the Council, the name of the owner of the premises, the name of the operator of the boarding house, the name of the boarding house, the address of the boarding house, and the business name of the boarding house.

The second publication thereof shall be made not less than one week nor more than two weeks prior to the date for the public hearing.

### **§141-6 *Investigation***

The Borough Administrator shall, upon receipt of application, cause the following inspections to take place:

- a. With respect to the premises for which a license is sought: (1) that they are in compliance with all applicable building, housing, health and safety codes and regulations; (2) that the location of the premises will not, in conjunction with the proximity of other rooming and boarding houses, lead to an excessive concentration of such facilities in the municipality or a particular section thereof;
- b. With respect to the owner or owners of the premises: (1) if a natural person or persons, that he or they are 21 years of age or older, citizens of the United States and residents of the State of New Jersey, and never convicted, in this State or elsewhere, of a crime involving moral turpitude, or of any crime under any law of this State licensing or regulating rooming or boarding houses, and have never had a license required pursuant to P.L. 1979, c. 496(C. SS:13B-1 *et seq.*) revoked; (2) if a corporation, that all officers and members of the Board of Directors, and every stockholder holding 10% or more of the stock of the corporation, directly or indirectly having a beneficial interest therein, have the same qualifications as set forth in this subsection for an applicant who is a natural person;
- c. With respect to the operator or proposed operator, that he meets the requirements for licensure by the Department of Community Affairs;
- d. That the owner and operator, either individually or jointly, shall have established sufficient guarantee of financial and other responsibility to assure appropriate relocation of the residents of the rooming and boarding house to suitable facilities in the event that the licensure is subsequently

revoked or its renewal denied. The Department of Community Affairs shall determine in the case of each type of rooming and boarding house under this jurisdiction, what constitutes suitable facilities for this purpose. Said guarantee of financial responsibility shall be in the form of a surety bond in favor of the Borough. The amount for said bond shall be determined by the Borough Administrator at the time of the hearing on the application, by multiplying the number of the maximum allowable licensed beds at the rooming and boarding house in question by the maximum relocation costs allowed by the Department of Community Affairs (including both the maximum moving expenses and rental assistance allowed by the Department) and then by adding an additional 10% of said total for administrative costs and expenses in the event of relocation. Said bond shall be in form and substance acceptable to the Borough Attorney and for a period of one year;

- e. The applicant has complied with the regulations stated herein and possesses a valid applicable License from the Bureau. An inspection performed by a municipal enforcement agent under a contractual agreement with the Department of Community Affairs pursuant to N.J.S.A. 55:13B-1 *et seq.* may be deemed by the Licensing Authority to satisfy the investigation requirements of this section; such inspection shall be performed by and be under the jurisdiction of the Licensing Authority; and
- f. The Owner has paid all municipal property taxes due and owing on the rooming and boarding house, or in the case of an initial application, the applicant has paid all municipal property taxes due and owing on any other rooming and boarding house located within the Borough and owned by the applicant, provided that the owner has received written notice of any payment delinquency which has remained unpaid for more than 120 days. The provision of this subsection shall not be construed as denying or limiting the rights of any displaced residents to relocation assistance in accordance with N.J.S.A. 20:4-1 *et seq.*

#### **§141-7 Public Hearing**

The Council shall hold a public hearing, at which the applicant, the operator or proposed operator and all other parties in interest including members of the general public, shall be entitled to be heard upon the merits of the application and the suitability of the premises proposed for licensing. The time and place of the public hearing shall be determined within 30 days of receipt of the application, and shall be communicated to the applicant in sufficient time to enable compliance with the publication requirement of this section.

## §141-8 *Restrictions*

- a. No license shall be issued which would result in increasing the total number of persons authorized to be residents in rooming and boarding houses within the Borough to more than 100 people; but nothing in this subsection shall warrant refusal of a license or license renewal for premises where a rooming or boarding house has been in lawful operation prior to the enactment of this section.
- b. No license shall be issued for premises when any part of the boundary line of the premises is within 1,000 feet of the boundary line of any other premises for which a license is in force; but nothing in this subsection shall warrant refusal of a license or license renewal for premises where a rooming or boarding house has been in lawful operation prior to the enactment of this section.
- c. No license shall be issued until all real estate taxes, sewer, water and all other municipal liens and charges are current up to and including the quarter within which the application shall take place. The applicant will be disqualified for applying for a license until all aforementioned charges are brought current.
- d. Owner or owners of the premises shall never have had a license required pursuant to N.J.S.A. 55:13B-1 *et seq.* revoked.
- e. Except as otherwise provided in the Rehabilitated Convicted Offenders Act (N.J.S.A. 2A:168A-1 *et seq.*), no license shall be issued to any person who has at any time been convicted of forgery, embezzlement, obtaining money under false pretenses, extortion, criminal conspiracy to defraud, crimes against the person or other like offense or offenses, or to any partnership of which such person is a member, or to any association or corporation of which said person is an officer, director or employee or in which as a stockholder such person has or exercises a controlling interest either directly or indirectly.
- f. No license shall be issued to any person if the Council determines that the issuance of a license to such person would be contrary to the best interests of the residents of any rooming or boarding house or of the public generally.
- g. No owner shall employ any person not licensed as an operator to operate any rooming or boarding house. A separate operator shall be required for every building occupied by residents other than an accessory building.

- h. No license shall be issued to any person who has previously been denied a license by either the Department of Health or the Department of Human Services for reason of personal unfitness or who has had a license revoked by either the Department of Health or the Department of Human Services.
- i. No license shall be issued to, or shall continue to be held by, any person, who, in a final adjudication by a court of record or by the Division on Civil Rights, has been found to have discriminated against any resident or prospective resident on the basis of race, color, creed, national origin or ancestry.
- j. A Class D license shall specify the type of facility for which it is issued. Except as otherwise provided in this chapter, any service which may be provided under a Class C license may be provided under a Class D license and any facility operated under a Class D license shall conform to all standards that would be applicable to the facility where it operated under a Class C license.
- k. No license to own or operate a boarding house shall be issued to, or shall be continued to be held by, any person who has not completed a training course approved by the Department of Community Affairs. This subsection shall not apply to persons holding or applying for only Class A (rooming house) licenses or Class F (cooperative sober living residence) licenses and shall only be effective so long as there exists a training program funded by the Department of Human Services.
- l. No license to operate a rooming or boarding house shall be issued prior to receipt of a certification that the building does not have any outstanding violations of the Uniform Fire Code N.J.A.C. 5:70.
- m. No person shall own or operate a rooming or boarding house that offers or advertises or holds itself out as offering personal care services to residents with special needs, including, but not limited to, persons with Alzheimer's disease and related disorders or other forms of dementia, hold out a building as available for rooming or boarding house occupancy for such residents, or apply for any necessary construction or planning approvals related to the establishment of a rooming or boarding house for such residents without first having a Class C or Class D license with an endorsement allowing such services to be offered and provided at the facility.

### **§141-9 *Term of License***

- a. After the public hearing, the Licensing Authority shall determine in accordance with the requirements of this section, whether to grant the license. A license when issued shall be valid for one year from the date of issuance and until such time as the Licensing Authority has acted upon an application for renewal, unless sooner terminated by revocation pursuant to the terms of this section.
- b. Not later than the sixtieth day preceding the anniversary date of issuance, the holder of a license shall make application to the Licensing Authority for its renewal. Application for a renewal shall follow the same procedure and requirements as prescribed for a new application and shall necessitate de novo consideration and determination by the Licensing Authority in the same manner as a new application.

### **§141-10 *Revocation***

The Licensing Authority may revoke a license granted under this section for any of the following reasons:

- a. A finding that there was any misstatement of material fact in the application upon which the license was issued.
- b. The occurrence of any fact which, had it occurred and been known to the Licensing Authority before the issuance of the license, would have resulted in the denial of the application.
- c. Repeated violations, or prolonged failure to correct any violation, of any applicable building, housing, health or safety code or regulations for at least 30 days.
- d. Refusal to allow access to any portion of the licensed premises at all reasonable time, with or without advance notice in order that officers or agents of the Licensing Authority, or any official charged with enforcement within the municipality of any building, housing, health or safety code or regulations applicable to the premises may determine compliance with such codes or regulations.
- e. Revocation by the Department of Community Affairs of the operator's license or other authorization to operate a rooming or boarding house on the premises.



- f. Notification by the Department of Community Affairs that the premises are not, or are no longer suitable for operation of a rooming or boarding house on the premises.
- g. Failure or refusal to comply with any lawful regulation or Order of the Licensing Authority.
- h. A determination by the Licensing Authority that the issuance or renewal of a license to such a person would be contrary to the best interests of the residents of any rooming or boarding house or the public generally based upon the regulations and conditions set forth in this chapter.

#### **§141-11 *Notice of Revocation***

A license shall not be revoked until five days' prior notice of the grounds therefor has been served upon the licensee, either personally or by certified mail addressed to the licensee at the licensed premises, and a reasonable opportunity given to the licensee to be heard thereon.

#### **§141-12 *Appeal***

Upon determination by the Licensing Authority to refuse the granting or renewal of a license, or to revoke a license, the licensee affected shall be entitled to appeal to the Commissioner of Community Affairs for a review of that determination. Said appeal is to be filed within 30 days of a final decision of the Licensing Authority. Said appeal to be filed in writing with the Director of Licensing and inspections; the Commissioner shall have the authority to reverse the Licensing Authorities determination if it concludes that the application was improperly denied, or the revocation improperly imposed. Such review shall be in conformity with the provisions of the "Administrative Procedures Act" P.L. 1968, c. 410 (N.J.S.A. 52:14B- 1 *et seq.*). The decision of the Commissioner in such cases shall be subject to appeal to the Appellate Division of the Superior Court. If an applicant for a license renewal has made timely and sufficient application for a renewal in accordance with the provisions of this section, and the rules of the licensing pursuant thereto, his license shall not expire until any appeals under this section have been finally determined and disposed of.

#### **§141-13 *Authority to Act***

The Licensing Authority shall be the Borough Council. All decisions of the Licensing Authority shall be by a majority of the quorum present for the public hearing as prescribed by subsection.

### ***§141-14 Violations and Penalties***

Any person, firm or corporation who violates or neglects to comply with any provision of this chapter or any rule, regulation or directive promulgated pursuant thereto shall be penalized by a civil penalty of not less than \$50 and not to exceed \$2,000.

### ***§141-15 Inspections***

- a. There shall be an annual inspection for each rentable room enumerated on license to own and/or operate a rooming or boarding house issued by the Licensing Authority.
- b. The initial annual inspection fee shall be \$30 per rentable room, regardless of the number of changes in tenancy. During the initial annual inspection, the entire property will be inspected including all common areas, and the exterior of the property.
- c. Any reinspection will require the fee of \$20 per rental room requiring reinspection, \$50 for the reinspection of any common area and a \$50 reinspection fee for the exterior of the property 141-16 Relation to Borough Land Use Developments and Zoning Provisions.

### ***§141-16 Relation to Borough Land Use Developments and Zoning Provisions***

Nothing herein shall be construed to permit or allow as a permitted or conditional use a rooming or boarding house, including a cooperative sober living residence in any zone or District in the Borough Land Use Development or Zoning Ordinances. **In fact, such uses remain specifically prohibited under the Borough Ordinances. This Ordinance is being adopted as a precaution in the event that any boarding house is or may become a mandated use by Federal or State law or may become permitted by variance.**

## **SECTION TWO.**

All other Ordinances or provisions of the Code of the Borough of Sea Bright or parts thereof, which are inconsistent with any provisions in this Ordinance, are hereby repealed to the extent of such conflict or inconsistency.

## **SECTION THREE.**

If any provision or portion of this Chapter is held to be unconstitutional, preempted by Federal or State Law or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.

**SECTION FOUR.**

This Ordinance shall take effect upon its passage and publication as required by law.

**SECTION FIVE.**

Upon passage, the Clerk shall provide a copy of the Ordinance to the Commissioner of the Department of Community Affairs pursuant to N.J.S.A. 40:52-10.

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 November 15, 2021 and will be further considered after a Public Hearing held on December 21, 2021.

INTRODUCED: November 15, 2021

PUBLIC HEARING: December 21, 2021

ADOPTED:

**Witness**

**BOROUGH OF SEA BRIGHT**

\_\_\_\_\_  
CHRISTINE PFEIFFER, CLERK

\_\_\_\_\_  
BRIAN KELLY, MAYOR

**VOUCHER LIST  
DECEMBER 21, 2021  
BOROUGH OF SEA BRIGHT**

2767	A & K Equipment Company Inc.		
21-01387	11/22/21 STREETS- MINOR TOOLS & HRDWRE.	Open	434.40
00513	A.R. COMMUNICATIONS		
21-01392	11/22/21 OEM	Open	100.00
2790	ACB SERVICES, INC.		
21-01386	11/22/21 B&G- CONTRACTUAL	Open	3,888.73
2786	ALLSTATE REPAIR		
21-01315	11/02/21 BEACH-MAINTENANCE OF EQUIPMENT	Open	500.00
02113	AMERICAN WATER		
21-01445	12/09/21 SEWER	Open	333.62
02227	APOLLO SEWER & PLUMBING, INC.		
21-00707	06/09/21 BLDGS. & GRDS.- MAINT OF B & G	Open	725.00
21-01427	12/08/21 BLDGS. & GRDS.-MAINT. OF B&G	Open	625.00
21-01439	12/09/21 BEACH- MAINT. & REPAIRS	Open	825.00
			-----
			2,175.00
00757	ARIAS, JOHN		
21-01458	12/13/21 POLICE	Open	271.79
01042	ATLANTIC TOMORROWS OFFICE		
21-01365	11/18/21 COPIER	Open	684.21
2792	BAG SPOT		
21-01400	11/29/21 STREETS- MATERIALS & SUPPLIES	Open	332.20
02036	BAHRLE, DAVID		
21-01393	11/22/21 SEWER	Open	54.60
01957	BENEMAX BENEFIT MANAGEMENT CO.		
21-01420	12/07/21 HEALTH	Open	336.00
2376	BLACKROCK ENTERPRISES		
21-00510	04/26/21 ROADWAY IMPRVMT	Open	210,932.97
01631	BOROUGH OF OCEANPORT		
21-01447	12/10/21 COURT	Open	6,500.00
01974	BOROUGH OF SEA BRIGHT COURT		
21-01409	12/06/21 COURT	Open	66.15
2758	BROTHERS RAILINGS, LLC		
21-01069	09/14/21 BEACH- MAINT & REPAIR	Open	65.00
02115	C & L SWEEPER SERVICE		
21-00511	04/26/21 STREET SWEEPER	Open	1,125.00
2646	CAMPBELL SUPPLY CO.		
21-01377	11/22/21 Repairs - 4390	Open	2,223.64
2680	CINTAS		
21-01020	09/02/21 BEACH- MATERIALS & SUPPLIES	Open	458.65
21-01021	09/02/21 BLDGS. & GRDS. - MAT. & SUPP.	Open	176.40
21-01025	09/02/21 BEACH- MATERIALS & SUPPLIES	Open	399.71
21-01026	09/02/21 B&G- MATERIALS & SUPPLIES	Open	280.00
21-01276	10/20/21 BEACH-MATERIALS & SUPPLIES	Open	130.80
21-01277	10/20/21 B&G-MATERIALS & SUPPLIES	Open	280.18
21-01389	11/22/21 B&G- MATERIALS & SUPPLIES	Open	751.98
21-01397	11/29/21 B&G- MATERIALS & SUPPLIES	Open	222.32
21-01422	12/08/21 BEACH- MATERIALS & SUPPLIES	Open	48.49
21-01423	12/08/21 BLDGS. & GRDS.-MATERIALS & SUP	Open	185.58
21-01442	12/09/21 B&G-MATERIALS & SUPPLIES	Open	178.62
			-----
			3,112.73

2555	CJM ASSOC. OF SEA BRIGHT		
21-01451	12/10/21 LEASE	Open	500.00
2768	CLEAN RIVER RECYCLING		
21-01022	09/02/21 STREETS- MATERIALS & SUPPLIES	Open	3,071.75
00256	CLEARY, GIACOBBE, ALFIERI &		
21-01418	12/07/21 LEGAL	Open	690.00
01801	COLLIER ENGINEERING & DESIGN		
21-01467	12/17/21 ENGINEER	Open	5,580.00
01493	COOPERATIVE INDUSTRIES, L.L.C.		
21-01453	12/13/21 NATURAL GAS	Open	300.41
2386	CRANEY INTERPRETING SERVICE		
21-01414	12/07/21 COURT	Open	100.00
00088	CROWN TIRE MART		
21-01404	11/29/21 STREETS- VEHICLE MAINTENANCE	Open	459.00
2787	CYCLE PASSIONS, LLC		
21-01308	11/02/21 BEACH- VEHICLE MAINTENANCE	Open	682.85
21-01309	11/02/21 BEACH- VEHICLE MAINTENANCE	Open	415.45
21-01440	12/09/21 BEACH- VEHICLE MAINTENANCE	Open	560.00
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			1,658.30
2528	DCH FORD		
21-01399	11/29/21 STREETS- VEHICLE MAINTENANCE	Open	251.60
2286	DIFRANCESCO, BATEMAN, KUNZMAN		
21-01395	11/23/21 LEGAL	Open	1,220.00
21-01452	12/13/21 LEGAL	Open	500.00
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			1,720.00
01068	EDWARD J. ALBERT & SON, INC.		
21-01388	11/22/21 SEWER- MAINT. OF EQUIPMENT	Open	1,873.23
02168	EVOQUA WATER TECHNOLOGIES, LLC		
21-01304	11/02/21 SEWER - MATERIALS \$ SUPPLIES	Open	1,415.00
00191	EXPERT GROUP, LLC		
21-01081	09/15/21 POLICE: MOBILE DATA TERMINAL	Open	3,524.00
21-01296	11/02/21 POLICE-TELECOMMUNICATION	Open	3,524.00
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			7,048.00
00506	FARMER, JANE		
21-01379	11/22/21 Artwork for Library	Open	403.81
01817	FINEGAN, GEORGE		
21-01460	12/13/21 ANIMAL	Open	471.90
01720	FIREFIGHTER ONE, LLC		
21-00808	07/07/21 4390 MAINTENANCE	Open	1,124.00
01288	FISLER, CHRISTOPHER		
21-01431	12/08/21 POLICE-GENERAL HARDWARE	Open	39.38
00254	FLOWERS BY VAN BRUNT		
21-01370	11/18/21 A&E	Open	135.00
00711	FOLEY/CAT, INC.		
21-01219	10/12/21 STREET- MAINT. OF OTHER EQUIP.	Open	1,578.34
2789	FRANK LURCH DEMOLITION CO, LLC		
21-01289	10/26/21 ABANDONED PROPERTY	Open	12,600.00
02101	GANNETT NJ		
21-01371	11/18/21 CLERK	Open	49.50
21-01405	11/29/21 CLERK	Open	19.80
21-01468	12/17/21 TAX COLLECTOR	Open	294.20
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			363.50

01194	GLENCO SUPPLY, INC.		
21-01402	11/29/21 STREETS- MATERIAL & SUPPLIES	Open	66.00
02219	GOODYEAR AUTO CENTER		
21-01432	12/08/21 POLICE-VEHICLE MAINTINANCE	Open	576.08
2700	HIGHWAY EQUIPMENT OF NJ, INC.		
21-01382	11/22/21 STREETS- VEHICLE MAINT.	Open	1,052.46
2478	HOLISTIC WELLNESS, LLC		
21-01436	12/09/21 Yoga Series	Open	700.00
2710	HOLMDEL TOWNSHIP		
21-01448	12/10/21 FISCAL	Open	3,312.50
01285	HOME DEPOT CREDIT SERVICES		
21-01408	12/03/21 A&E	Open	401.46
2274	ISLAND TECH SERVICES		
20-00490	04/24/20 POLICE	Open	331.75
01526	JCP & L		
21-01454	12/13/21 ELECTRIC	Open	6,959.78
00297	JESSE A. HOWLAND & SONS, INC.		
21-01450	12/10/21 LEASE	Open	1,705.00
01784	JUNGLE LASERS, LLC		
21-01413	12/06/21 BLDG. DEPT.	Open	390.00
01013	LAMIA, JOHN		
21-01470	12/17/21 REC	Open	230.00
00015	LANIGAN ASSOCIATES, INC.		
21-01294	11/02/21 POLICE-MATERIAL AND SUPPLIES	Open	165.90
21-01375	11/22/21 POLICE: MATERIALS AND SUPPLIES	Open	464.00
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			629.90
2638	LAWES OUTDOOR POWER EQUIPMENT		
21-01398	11/29/21 STREETS- MAINT. OF EQUIP.	Open	85.80
2708	LETIZIA M.D., MATTHEW		
21-01374	11/18/21 BEACH	Open	3,000.00
2782	LIMA CHARLIE CONSTRUCTION		
21-01136	09/22/21 SANITARY SEWER	Open	117,281.50
2278	MCLAUGHLIN, STAUFFER & SHAKLEE		
21-01411	12/06/21 LEGAL	Open	8,216.30
02229	MONMOUTH COUNTY PUBLIC WORKS		
21-01380	11/22/21 Repairs - 4386	Open	706.13
02045	MONMOUTH COUNTY SPCA		
21-01446	12/10/21 ANIMAL	Open	325.00
2382	MORGAN, MICHAEL		
21-01419	12/07/21 POLICE	Open	605.23
00339	NAPA AUTO PARTS CENTER		
21-01403	11/29/21 STREETS- MAINTENANCE OF EQUIP.	Open	6.99
21-01425	12/08/21 STREETS- VEHICLE MAINTENANCE	Open	165.83
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			172.82
00019	NJ AMERICAN WATER		
21-01421	12/07/21 WATER	Open	4,087.69
00311	NJ DIVISION OF ABC		
21-01372	11/18/21 CLERK	Open	54.00
00113	NJ NATURAL GAS COMPANY		
21-01396	11/23/21 NATURAL GAS	Open	784.14

01309	OCEANPORT BOARD OF EDUCATION		
21-00795	07/07/21 SCHOOL TAX	Open	72,010.00
00046	ONE CALL CONCEPTS, INC.		
21-01412	12/06/21 SEWER	Open	44.33
00163	OSWALD ENTERPRISES, INC.		
21-01401	11/29/21 SEWER-MAINTENANCE OF EQUIPMENT	Open	1,200.00
00081	PERRY'S TROPHY CO., INC.		
21-01009	08/23/21 PLAN. BRD	Open	15.00
2659	PIENCIAK, DANIEL		
21-01437	12/09/21 Tai Chi Program	Open	600.00
2290	PORZIO, BROMBERG & NEWMAN		
21-01416	12/07/21 LEGAL	Open	673.75
00164	RAIN, WILLIAM		
21-01407	11/30/21 HEALTH	Open	144.60
2728	READY REFRESH BY NESTLE		
21-01373	11/18/21 SPRING WATER	Open	180.10
00244	SEA BRIGHT FIRST AID, INC.		
21-01466	12/17/21 A&E	Open	2.00
01554	SEA BRIGHT SERVICE CENTER		
21-01391	11/22/21 POLICE: VEHICLE MAINTENANCE	Open	224.95
00053	SHORE REGIONAL HIGH SCHOOL		
21-00794	07/07/21 HIGH SCHOOL TAX	Open	180,818.00
00260	SODON'S ELECTRIC, INC.		
21-01433	12/08/21 BORO LOT	Open	8,710.00
02225	STAPLES ADVANTAGE		
21-01353	11/10/21 FINANCE	Open	261.32
21-01376	11/22/21 Library office supplies	Open	75.95
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			337.27
2785	STREET COP TRAINING		
21-01266	10/20/21 POLICE-EDUCATION AND TRAINING	Open	199.00
2535	SUBURBAN DISPOSAL, INC.		
21-01455	12/13/21 LANDFILL	Open	7,546.40
21-01456	12/13/21 TRASH	Open	20,385.07
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			27,931.47
00656	TAYLOR FENCE CO., INC.		
21-01385	11/22/21 DUNE	Open	946.59
01750	THE MEERS GROUP, LTD.		
21-01417	12/07/21 TAX ASSESSOR	Open	1,000.00
00973	THE TWO RIVER TIMES		
21-01410	12/06/21 CLERK	Open	19.53
2438	THOMAS, SHAWN		
21-01270	10/20/21 STREETS-MATERIALS & SUPPLIES	Open	79.75
21-01424	12/08/21 STREETS	Open	50.40
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			130.15
2291	VERIZON		
21-01367	11/18/21 FIOS	Open	216.21
2658	VERIZON		
21-01462	12/13/21 PHONE	Open	224.90

02061	VERIZON WIRELESS		
21-01366	11/18/21 MDT	Open	268.07
21-01368	11/18/21 POLICE	Open	1,276.05
21-01369	11/18/21 CELLS	Open	197.20
21-01463	12/13/21 CELLS	Open	197.20
21-01464	12/13/21 FIRE	Open	268.07
21-01469	12/17/21 CELLS	Open	1,604.16
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			3,810.75
01791	VERRUNI, JOSEPH		
21-01465	12/17/21 A&E	Open	150.00
2794	WEINER, GARY		
21-01449	12/10/21 TAX	Open	1,739.77
00077	WEX BANK		
21-01435	12/08/21 GASOLINE	Open	5,437.02
01671	WINNER FORD OF CHERRY HILL		
21-00770	06/24/21 POLICE: VEHICLE MAINTENANCE	Open	1,835.60
02109	ZUMU SOFTWARE		
21-01394	11/23/21 A&E	Open	1,600.00
		<b>TOTAL:</b>	<b>\$736,393.79</b>

### Manual Checks

21-01434	David Hoder Associates		\$2,835.00
12/8/2021	Planning Board:Engineer-Review & Inspection/Escrow Accts.		
21-01415	Mackal Ventures, LLC		\$1,343.00
12/7/2021	Release Maintenance Bond & Inspection Escrow		
12/13/2021	NJ Dept. of Health		\$1.20
21-01459	Monthly Dog License Report-November		
		<b>TOTAL:</b>	<b>\$4,179.20</b>

**GRAND TOTAL: \$740,572.99**