

**MINUTES
WORKSHOP MEETING
BOROUGH OF SEA BRIGHT**

JANUARY 14, 2021 (Thursday) SEA BRIGHT, NEW JERSEY

**DUE TO THE CORONAVIRUS AND THE NEED FOR SOCIAL DISTANCING, THIS MEETING WILL BE HELD REMOTELY
AND OPEN TO THE PUBLIC BY FOLLOWING THE INSTRUCTIONS BELOW.**

PUBLIC ACCESS LINK

<https://global.gotomeeting.com/join/412527437>

United States: +1 (872) 240-3212

Access Code: 412-527-437

Council President Leckstein called the meeting to order at 8:31 a.m. and requested those present to join in the Pledge of Allegiance.

Council President Leckstein read the following Compliance Statement:

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

Good Morning Ladies and Gentlemen. This Meeting Is Now Called to Order:

In Line With The Borough Of Sea Bright's Longstanding Policy Of Open Government, And In Compliance With The "Open Public Meetings Act" I Wish To Advise You That Adequate Notice Of This Regularly Scheduled Meeting Was Sent to the Asbury Park Press and other local newspapers on January 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."

PRESENT: Councilmember's Kevin Birdsall, Jefferey M. Booker, Sr.,
Samuel A. Catalano, William J. Keeler,
John M. Lamia, Jr., Marc A. Leckstein

ABSENT: Mayor Brian P. Kelly

OTHERS: Administrator Joseph L. Verruni, Attorney Roger McLaughlin
Engineer William White, Clerk Christine Pfeiffer

REMARKS FROM THE AUDIENCE: (limited to 3 minutes)

The Public Comment portion of this meeting allows members of the audience to bring their concerns or comments to the Mayor and Council's attention. Pursuant to Borough Ordinance 3-2011, a member of the public who wishes to speak shall give his/her name and address for the record and may have up to three minutes to state his/her comments to the Mayor and Council as a Body. If additional time or information is requested, an appointment can be made with the Administrator's office during regular business hours.

No one wished to be heard.

ITEMS FOR DISCUSSION:

SUBJECT: Short Term Rental Regulation (Liz DeBold Fusco, AIRBNB)

ACTION: Liz DeBold Fusco, Public Policy & Communications Team for AIRBNB addressed Council and said she is very familiar with many of the issues facing New Jersey municipalities especially since she is a Freehold resident. As Sea Bright is a small community, Ms. DeBold Fusco recommended some "foundational" best practices for short term rental ordinances including instituting a simple registration process, opting into the State's tax law regarding short term rentals which would entitle the municipality to a share of the revenue generated from taxes, annual inspections, and implementing insurance requirements. Ms. DeBold Fusco will provide the Governing Body with sample ordinances from other towns in similar size. A simpler approach makes it easier for everyone to follow the rules and is beneficial to the hosts. Ms. DeBold Fusco would recommend the Borough to get in touch with the League of Municipalities and the State Treasury for additional information on the state tax laws. Ms. DeBold Fusco reinforced that she is a resource for Sea Bright and moving forward can be contacted with any questions or concerns involving AIRBNBs. Councilman Leckstein explained that the *Administration* Council Committee will review the materials provided, draft an ordinance, and bring it back to the Council for review and thanked Ms. DeBold Fusco for taking the time to attend our meeting.

SUBJECT: Capital Projects Update

ACTION: Administrator Verruni reported he met with Monmouth County Engineering and they will be going out to bid by the end of the month for the bridge reconstruction project - they anticipate the bids to be received in March and awarded in April. The schedule of work will be provided by the contractor as to when and where the construction will begin. They will be installing a continuous new bulkhead at our new height from Anchorage Park through Rooney Park and up to the Nautilus Apartments. The old bridge will be in use until the new bridge is completed - there will not be any disruption in traffic flow. Mr. Verruni reported we received another \$80,000 grant to finish the Anchorage Park improvements - this is a matching grant so we must come up with \$80,000 and have been working with the MC Conservation Foundation to solicit donations. Mr. Verruni reported the 2020 Road Program Grant project for Shrewsbury Way and Riverview Place will go out to bid shortly - the Beach Way outfall pipe extension will be included in this project. We are ready to go out to bid for the elevated platform on Osborne Place. We received \$134,000 out of \$160,000 request from Monmouth County CARES Act - and expect to get the balance soon. The punch list items for the Municipal Complex are being completed. The bonding company is finalizing their contract with the contractor to complete the final punch list items on the beach pavilion. Attorney McLaughlin explained the conflicts we are having with bonding company and will be filing a motion to hopefully get them resolved quickly. Councilman Birdsall asked where we stand on the State's outfall project in North Beach and Mr. Verruni explained that they are waiting for easements from the property owners and said he would follow up with the State.

SUBJECT: Public Safety Update (Fire Chief & Police Sergeant Murphy)
- Assistance to Firefighters Grant (Chief Murphy)

ACTION: Police Sergeant/Fire Chief Murphy stated that Chief Friedman could not make the meeting this morning so he will be providing his report – December was an average month regarding calls for service and also closed out a commercial burglary case at McLoone’s which took a considerable amount of investigation. Chief Murphy reported we have three Specials attending the Police Academy which started this week. There will be COVID testing this Saturday at the firehouse – all the information is on the Borough website. The Fire Department had the highest number of calls for service ever recorded in 2020. Chief Murphy said he has 6 new members approved to join – a resolution will be on the Tuesday night’s meeting agenda along with a resolution authorizing the Assistance for Firefighters Grant application. He explained we typically apply annually for this very competitive nationwide program which has a 10% matching share to be incurred by the Borough. This year’s application will provide funds for the purchase of swift water rescue equipment which is mandated through PEOSHA. Councilman Birdsall wanted to officially thank the Forsman family for funding the restoration of the fire truck.

SUBJECT: DPW Garage – Maser Proposal

ACTION: Administrator Verruni explained we received a proposal from Maser Consulting for the DPW garage (pole barn) to put together a site plan determining where it would fit, what utilities would be required, etc. Mr. Verruni urged Council to decide on the location of the garage so we can start moving forward. Councilman Leckstein would like to utilize one engineer see this project through and continue our policy of asking our consulting engineers to submit proposals so we can compare prices. Councilman Birdsall explained that the initial thought was to put the garage on River Street which he is against as it is a residential street and recommended putting it between the cell tower and Donovan’s Reef – Councilman Birdsall would like to get artist renderings for both locations and get the public involved in the decision. Shawn Thomas, Deputy Director of Public Works, explained this garage will house beach, police, OEM and DPW equipment/vehicles which he listed for Council. Councilman Leckstein said Mayor Kelly asked him to let Council know that he is in support of putting the garage on River Street. Councilman Catalano stated that he would like to move forward with putting the garage on River Street. Councilman Booker questioned the Administration’s position on the location – Mr. Verruni explained that we own the property on River Street and believes it is a suitable piece of property. Councilman Booker feels that we should listen to the Administration and those on the front lines and if they feel that the River Street property is the best option than he agrees with them. Councilman Lamia questioned if we can take the smaller equipment that is frequently used in the summer and put it under the cell tower or in a smaller structure in that location. Councilman Keeler would like to see an inventory list from Shawn Thomas and thinks we may need a secondary location from River Street. Councilman Leckstein suggested getting proposals from engineers for the February workshop meeting for the River Street location – Council agreed.

SUBJECT: 26 New Street – JCPL Pole

ACTION: Councilman Leckstein explained there is a house on New Street that has a JCP&L pole immediately over it - the house was damaged in Sandy. The owners have all the approvals, but are unable to raise the house and renovate it due to the lines. The owners are in litigation with JCP&L and proposed moving the pole onto the Borough’s right of way. Engineer William White explained that it would create an ADA issue to move the pole onto the sidewalk. Councilman Lamia does not like the idea of locating a pole in the middle of a sidewalk and said he observed two poles across the street that could possibly be utilized with proper easements. Attorney McLaughlin agreed with Councilman Lamia’s point – this is really not our issue – it is between the property owner and JCP&L – we cannot allow them to relocate the pole onto the Borough’s sidewalk as it would create an ADA issue. Councilman Leckstein thinks that we should be involved in this process because JCP&L has no right to have these lines over 26 New Street and recommends having a meeting with the homeowner, JCP&L, the engineer, Trip Brooks, and our Attorneys to try to figure out what is best for everyone concerned.

SUBJECT: Paid Parking Signage throughout the Borough

ACTION: Councilman Leckstein explained that he asked for this to be on the agenda – when he recently parked by Woody’s the parking sign said, “paid parking strictly enforced.” Councilman Leckstein would like clearer signage stating that paid parking is only in effect May 15th through September 15th. Administrator Verruni will talk to Chief Friedman and Public Works about bagging the current signs and getting additional signage.

SUBJECT: Oceanport Court Contract Renewal

ACTION: Mr. Verruni explained that we have been going to Oceanport for court services for quite some time and they just built their new facilities and are about to move in. Our shared service contract expires at the end of February and asked Council if they are interested in renewing at the same price. Councilman Keeler explained that court sessions will still be taking place in Rumson for about a month or so because the Judge’s dais is not ready. Councilman Leckstein said that the Mayor has been having informal conversations with another town about possibly utilizing their court facilities and suggested Councilman Keeler get in touch with the Mayor. The discussion will be continued at the workshop meeting in February.

SUBJECT: Beach Bathroom Access

ACTION: Councilman Catalano said he would like to see the beach bathrooms open all year round – it separates us from other towns. Currently Public Works opens and closes them during the

week but on the weekends Councilman Lamia is opening them in the morning and thinks there should be a better process involving the police and/or DPW or an electronic locking door. Mr. Verruni explained that Shawn Thomas is getting a price to get automatic locks at the beach pavilion. Shawn stated that it would be between \$2,000 - \$3,000 to get two doors installed but in the meantime Mr. Verruni will talk to Chief Friedman about getting them locked at the end of the day on the weekends. Shawn Thomas will get a packet together for Council with definite prices and explained that once the automatic locks are installed we will not need port-o-johns which will save money.

Councilman Leckstein asked Attorney McLaughlin about the NJDEP mandated stormwater management ordinance revisions that need to be in place by May 1st. Attorney McLaughlin will have a draft to Council by the February workshop meeting.

Councilman Leckstein asked about implementing the bulkhead maintenance ordinance and thinks we should get an engineer in to begin working on it. Mr. Verruni will get proposals.

Councilman Leckstein asked if there had been anything from Redevelopment Attorney Bill Wolf concerning the revised redevelopers agreement – Attorney McLaughlin said he received the revisions and asked Mr. Wolf to send everything directly to the redevelopment committee.

Councilman Booker announced that tomorrow at 1:30 there will be a First Responders Appreciation Lunch hosted by a young man from Rumson who is doing a community service project and wants to provide lunch for our first responders. Councilman Booker invited all to attend.

SUBJECT: Ordinance(s)

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

ACTION: The above ordinance will be on the January 19th meeting agenda for introduction. CFO Michael Bascom will be present for the introduction and available to answer any questions.

EXECUTIVE SESSION:

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

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

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

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

- 1. The general nature of the subject matters to be discussed are as follows:
 - A. Potential Litigation

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

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

Roll Call:

Birdsall	Booker	Catalano	Keeler	Lamia	Leckstein
Yes	Yes	Yes	Yes	Yes	Yes

ADJOURNMENT:

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

Roll Call:

Birdsall	Booker	Catalano	Keeler	Lamia	Leckstein
Yes	Yes	Yes	Yes	Yes	Yes

Respectfully Submitted,

Christine Pfeiffer
Borough Clerk