

**MINUTES
WORKSHOP MEETING
BOROUGH OF SEA BRIGHT**

FEBRUARY 11, 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/771908645>

United States: +1 (312) 757-3121

Access Code: 771-908-645

Mayor Kelly called the meeting to order at 8:30 a.m. and requested those present to join in the Pledge of Allegiance.

Mayor Kelly 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:

Mayor Brian P. Kelly
Councilmember's Kevin Birdsall, Jefferey M. Booker, Sr., Samuel A. Catalano,
William J. Keeler, John M. Lamia, Jr., Marc A. Leckstein

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: Affordable Housing

ACTION: Borough Planner, Christine Cofone, lead the discussion and explained that she prepared and submitted a proposal to the Borough to update the housing plan element. The Borough has an affordable housing obligation which needs to be addressed as we've had some inquiries recently relating to certain properties. Ms.Cofone recommends that the Borough do a vacant land adjustment as the Borough's current obligation according to the formula is over 100 and proactively adopt a housing plan element to avoid potential litigation. Administrator Verruni stated that he spoke to CFO Michael Bascom about funding for this and it will be further discussed at the upcoming budget meetings. Councilman Leckstein explained that the Administration Committee met with Ms. Cofone and everyone was in agreement that this is something we should be moving forward with. Attorney McLaughlin reported he reached out to Andy Bayer who is Mount Laurel Counsel to many communities in Monmouth County and explained our situation and he felt that we are on track. Mr. Bayer would be happy to join the next subcommittee meeting. Mayor Kelly stated that the Council will review Ms. Cofone's proposal and move forward from there.

SUBJECT: Capital Projects Update

ACTION: Administrator Verruni stated there are three projects coming up this year – 1. The new public works facility 2. The stormwater lateral on ocean avenue that is sinking 3. Bulkhead ordinance analysis. Mr. Verruni said he has solicited three proposals from our consulting engineers for each project and will provide Council with a spreadsheet for further consideration at Tuesday's meeting. Shawn Thomas, Deputy Director of Public Works, provided the Governing Body with a spreadsheet of vehicles and equipment that will need to be housed in the proposed public works garage. Administrator Verruni explained that protecting the equipment is their priority. Councilman Leckstein added that AT&T went before the Planning Board and the Board was not happy with their design and asked them to come back with a new plan in a month or so.

SUBJECT: Public Safety Update (Chiefs of Police and Fire)

ACTION: Chief Friedman provided an update for the month of January – 296 calls for service and multiple arrests. The department has already had preliminary budget meetings and look forward to the upcoming budget meeting with CFO Michael Bascom. Chief Friedman reported we had a major flooding event and a few snowstorms to deal with and are now proactively preparing for the summer season. Councilman Birdsall thanked the Police, Fire Department and Public Works for their hard work during the last flood event – it was one of the worst we had in a while.

Deputy Fire Chief Rivera provided an update for the Fire Department – there have been about 30 calls for service so far this year and stated during the last storm they had a couple calls for people

trapped in their vehicles and flooding on the side streets. The pickup truck transfer is on the agenda and has been utilized during storms and overall is a great asset to the department. Councilman Leckstein added that the previous storm brought light to some issues residents are having with NIXLE – Councilman Leckstein has contacted our representative and is working to resolve the issues – please let him know if you are still having any problems.

SUBJECT: NJDEP Stormwater Ordinance Revisions

ACTION: Attorney McLaughlin explained that the NJDEP's regulations have changed to require all municipalities to adopt basically restated stormwater control regulations – these changes have an emphasis on environmentally sensitive approaches. This ordinance must be put into place by March 2nd. We have a final draft that will be introduced on Tuesday and adopted on March 2nd. Engineer Bill White explained that this ordinance is about treating the stormwater before it is put into the pipes and basins – for Sea Bright the impact will be water quality vs. volume. Councilman Birdsall is concerned that we do not have space to install retention basins and Mr. White clarified that it is not for existing basins but for future improvements.

SUBJECT: DPW Garage and Sanitary Sewer Lateral engineering proposals update

ACTION: Administrator Verruni stated that he received proposals for various engineering projects specifically the DPW garage and will review them and have a spreadsheet prepared for Council sometime next week and will discuss funding during the upcoming budget meetings.

SUBJECT: Public Bathroom locks pricing

ACTION: Mr. Verruni stated that the pricing for the installation of locks actually decreased because the vender feels the exterior doors do not need to be replaced. Mr. Verruni recommends that we use the same commercial grade locks installed as the ones at Anchorage which are about \$2,000 for both bathrooms. Council had no objections.

SUBJECT: Woody's Parking Lot for 2021 Outdoor Dining Season

ACTION: Chris Wood contacted the Borough and would like to do the same set up as last year by renting the parking spots. Last year he paid \$2,000 per space to utilize the lot in front of his restaurant which is about what we make from paid parking. The ABC has approved the expansion of liquor license premises through November 2022 which allows licensees to expand the premises where they can serve alcoholic beverages to include outdoor spaces. Mr. Verruni would like to make any decisions necessary at the Borough level now so restaurants can start preparing for the upcoming season. Attorney McLaughlin explained last year Council adopted an ordinance allowing emergency outdoor dining on Borough property expiring at the end of 2020 – we need to adopt a resolution extending the expiration date. Council agreed to have a resolution prepared for the February 16th meeting. Borough Clerk, Christine Pfeiffer, added that last year the Governing Body waived the fees for outdoor dining and asked if this is something they are interested in for this year – Council agreed.

SUBJECT: Snow and Ice Removal/Snow Plowing of Splash Pad

ACTION: Mr. Verruni explained that snow removal is a multifaceted issue and this year was a little different because we had a good amount of sand come over the seawall onto the splash pad. It provided Public Works with a situation with not only snow but sand as well. Mr. Verruni spoke with our insurance company, Council, and other municipalities regarding the removal of snow/sand for public access areas and it may be best to leave it alone for the short term. Once you invite people to these areas you are creating a situation that has to be continually maintained and you become liable - we are only insured if we leave it the way it is. In addition, because of the plovers, we only have until March 15th to remove the sand from the west side of the sea wall and remediate the east side so the sand doesn't continue to blow over the wall, in addition to creating an alleyway to travel up and down the beach. Deputy Director of Public Works, Shawn Thomas, reported, DPW is down two men at this time - only he and Randy for the last two snowstorms. He received a quote from Burke Construction to have the sand pulled from the east side of the seawall and flattened out, resurfacing the beach which is about a mile long, and taking the sand that has blown over on the west side of the sea wall for about \$62,000. We can do this partially in house and partially through an outside contractor but again we are down manpower and are in a tough spot. Administrator Verruni recommends asking Monmouth County to see if they can do it more economically. Mayor Kelly agrees with Administrator Verruni and Shawn Thomas – once we start cleaning up the public access stairs and splash pad we have no choice but to maintain it which opens us up to liability. Councilman Leckstein said he respectfully disagrees and believes that it would be a good thing to plow the splash pad and feels we have an obligation to maintain it like we do sidewalks. Mayor Kelly explained that clearing the splash pad will require more manpower and increase costs and we would become a liability exposure. Councilman Birdsall feels that we are setting a bad precedent by not clearing our sidewalks (splash pad) when we are issuing tickets to residents who don't clear their sidewalks within 48 hours of a storm – he feels that this is something that we should be doing. Shawn Thomas explained that the snow on top of the sand makes it more difficult especially from a DEP standpoint since we need approval to move anything from the west side on to the beach. The splash pad is 1.6 miles long and they simply do not have the equipment and/or manpower to clear the snow, salt and maintain. Additionally, moving snow onto private property can become an issue. Councilman Booker would like to receive the opinion/recommendation from Brown and Brown in writing in case any issues arise. Mr. Verruni will work with Councilman Keeler to get something more official from PERMA and our risk manager.

Councilman Keeler he said he witnessed a couple people slip and fall in the Anchorage parking lot trying to access the stairs and ADA ramp and recommended if the parking lot is going to be cleared the access to the bathrooms should also be cleared. Councilman Birdsall added that clearing the travel lane along the east side of the seawall for beach vehicles should be a priority – Council agreed.

SUBJECT: Beach Umbrella Rental – Advertising

ACTION: Administrator Verruni explained that we received a request from our successful bidder for the rental of beach umbrellas and chairs to have Sea Bright business advertisements printed on the umbrellas. Councilman Leckstein explained that historically Sea Bright businesses do not want to pay to advertise but has no problem as long as it is offered to only Sea Bright businesses.

SUBJECT: Resolutions

R1. CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964”

R2. Authorizing Transfer of Title Police Department Vehicle to Sea Bright Fire Department

R3. Authorize the Release of Various Closed Session Minutes for Years 2017-2018

ACTION: The above resolutions will be prepared for the February 16th meeting for approval.

EXECUTIVE SESSION:

Councilman Leckstein recused himself for the first discussion during Executive Session.

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

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

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

Respectfully Submitted,

Christine Pfeiffer
Borough Clerk