

**MINUTES
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

JUNE 15, 2021

SEA BRIGHT, NEW JERSEY

TO ATTEND THIS MEETING REMOTELY PLEASE USE THE FOLLOWING LINK:

<https://global.gotomeeting.com/join/796137685>

OR DIAL: (646) 749-3335

Access Code: 796-137-685

Mayor Kelly called the meeting to order at 7:00 p.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 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."

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 Verruni, Attorney Roger McLaughlin,
CFO Michael Bascom, 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.

Jon Schwartz, 24 Longview Way, asked for an update on enforcement of the bulkhead and plastics ordinances and the Mad Hatter. Mayor Kelly and Councilman Leckstein responded that we have signed a contract with an engineer to start the bulkhead inspections, the plastics ordinance is in effect and being enforced and the Mad Hatter property has been added to the abandoned property list and is going through that legal process.

Michael Chimento, Sands Beach Club, speaking on behalf of Ship Ahoy and Surfrider, commented on the bicycle, pedestrian, skate boarder, etc. traffic through their parking lots during the summer and the dangerous situation it creates as they are going the wrong way as the flow of traffic entering and exiting the lots. Mr. Chimento is looking for the Borough's help as this is a big safety hazard - there is no access to the sidewalk once you leave the splashpad. Councilman Leckstein suggested the Public Safety Committee meet with the Chief and the beach club owners to try to find a safe solution.

Susie Markson, 1187 Ocean Avenue, commented on the previous discussion and said as a bike rider, riding through that section of Ocean Avenue is terrifying and thinks the only possible solution would be to possibly put cones along the side line of the highway to make drivers more aware and keep the bikers inside the line.

Erwin Bieber, 12 Tradeswinds Lane, asked for an update on the school realignment. Administrator Verruni reported they were advised by Senator Sweeney's office that the legislation was scheduled to be voted on Monday in the Assembly and hopefully out of the Senate by the end of June. Mr. Verruni explained where we would stand once the vote passes and how we would move forward. Mr. Bieber asked if there was a task force in place to see this through and Mr. Verruni said it is overseen by the Council Education Committee.

Lynn Shapiro, 22 Riverview Place, asked for an update on the Farmer's Market. Councilman Leckstein said it is being worked on.

Chris Doxey, 9 Church Street, asked who is responsible for cleaning up the Mad Hatter property now that it is on the abandoned property list. Attorney McLaughlin responded that it is still the property owner responsibility - they continue to be served notices by the Code Enforcement Officer. Once the abandoned property process is complete, we will have the control to get the property cleaned up.

CONSENT AGENDA

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

Councilman Catalano asked Council if the Madhatter Liquor License renewal should be removed from Resolution NO. 126-2021 – after a brief discussion, it was agreed to leave it as is.

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Minutes

05-12-21 Workshop Meeting
05-12-21 Closed Session
05-18-21 Regular Meeting

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein
Yes Yes No Yes No Yes

Resolutions:

No. 117-2021 Hiring Seasonal Borough Employees

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

WHEREAS, there exists a need for seasonal employees in the Borough of Sea Bright; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the following employees be hired and receive the hourly rate of \$11.50 in accordance with the Borough’s Salary Ordinance No. 04-2021.

CERTIFICATION OF FUNDS

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


MICHAEL J. BASCOM, CFO

BEACH/DPW - Salaries & Wages

<u>Employee</u>	<u>Position</u>	<u>Hourly Rate</u>
Dylan Bucci	Lifeguard	\$11.50
Aidan Casuccio	Lifeguard	\$11.50
Hayden DeLanzo	Lifeguard	\$11.50
Conor Doogan	Lifeguard	\$11.50
Joseph Doughney	Lifeguard	\$11.50
Barrett Heine	Lifeguard	\$11.50
William Horwath	Lifeguard	\$11.50
John Lauria	Lifeguard	\$11.50
Abigail Michaelson	Lifeguard	\$11.50
Carina Muller	Lifeguard	\$11.50
Ray Reynolds	Lifeguard	\$16.50
Alexis Shanker	Lifeguard	\$11.50
Gabriel Stypol	Lifeguard	\$11.50
Mason Twinning	Lifeguard	\$13.50
Tiffany Wen	Lifeguard	\$11.50
Ryan Zalinski	Lifeguard	\$11.50
John Zeveney	Lifeguard	\$11.50
George Tomarro	Maintenance	\$15.00

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

1. Finance Manager
2. DPW Director
3. Beach Manager

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein
Yes Yes No Yes No Yes

No. 118-2021 Hiring Part-Time Electrical Sub-Code Official/Inspector Borough of Sea Bright

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

WHEREAS, there exists a need to hire personnel in the Building Department in the Borough of Sea Bright, County of Monmouth, New Jersey, and

WHEREAS, the Construction Official for the Borough of Sea Bright has interviewed and recommends the hiring of Jay Everard as a Part-Time Electrical Sub-Code Official/Inspector for an annual pay rate of \$9,200.00.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds are available in Building Department - Salaries & Wages for the purposes 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 does hereby authorize the Borough to hire Jay Everard to fill the position of Electrical Sub-Code Official/Inspector, effective July 1, 2021, at an annual rate of pay of \$9,200.00 as specified in Ordinance No. 04-2021.

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

- 1. Finance Manager
- 2. Building Department
- 3. Jay Everard

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein
 Yes Yes No Yes No Yes

No. 119-2021 Hiring Volunteer Firefighters Borough of Sea Bright Fire Department

Councilmember Leckstein offered the following resolution for approval; seconded by Councilmember Booker:

WHEREAS, Chapter 20, Section 20.4 of the General Code, Fire Department membership requires any person desiring membership in a volunteer fire department, shall complete an application; may be required to have a pre-appointment physical by a physician; and the Borough Council shall order a criminal background check to be conducted by the Chief of Police; and

WHEREAS, the Fire Department received two applications and recommends hiring the following new members to serve as a volunteer firefighters on the Sea Bright Fire/Rescue Department, as follows:

Seasonal Membership

Colin O'Brien
James Sellino

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, does hereby accept and approve the hiring of the above-named individuals to serve as members on the Sea Bright Fire Department as designated above; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to send a certified copy of this resolution to the following:

- 1. Borough of Sea Bright Fire Chief
- 2. Individual Members

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein
 Yes Yes No Yes No Yes

No. 120-2021 Authorizing the Purchase of Ranger 1000 Utility Vehicle (UTV) for the Sea Bright Beach Department

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

WHEREAS, the Borough of Sea Bright is in need of a new beach vehicle for the Beach Department; and

WHEREAS, the Borough Council approved Resolution No. 102-2021 on May 4, 2021 authorizing the purchase of a Polaris Ranger 1000 Utility Vehicle (UTV) for an amount not to exceed \$13,972.29 which is no longer available; and

WHEREAS, the Borough of Sea Bright wishes to purchase a Ranger 1000 UTV Premium Camo from Jersey Shore Powersports, Middletown, NJ in the amount of \$14,162.95 including the following additional items for a total cost of \$15,537.95; and

Base Price:	\$14,162.95
Emergency Light:	\$ 125.00
Siren for Side by Side:	\$ 750.00
Undercoating:	\$ 250.00
Wrap Hood in Red:	\$ 250.00
TOTAL:	\$15,537.95

WHEREAS, CFO Michael Bascom has authorized the purchase of a Ranger 1000 UTV Premium Camo model since it is available for immediate delivery; and

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CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, certify that funds in the amount of \$15,537.95 are available in Beach Capital Outlay 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, hereby authorize the Beach Manger to purchase a Ranger 1000 Utility Vehicle Premium Camo (UTV) for an amount not to exceed \$15,537.95 from Jersey Shore Powersports, Middletown, New Jersey; and

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

1. Beach Manager
2. Finance Manager
3. Jersey Shore Powersports

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein
 Yes Yes No Yes No Yes

No. 121-2021 Authorizing the Purchase of a Road Trailer for the Sea Bright Beach Department

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

WHEREAS, the Borough of Sea Bright is in need of a road trailer to transport equipment for the Beach Department; and

WHEREAS, the Borough of Sea Bright wishes to purchase a 2021 Triton LTWC11 PWC Road Trailer in the amount of \$1,199.00 from Jersey Shore Powersports, Middletown, NJ; and

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, certify that funds in the amount of \$1,199.00 are available in Beach Capital Outlay 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, hereby authorize the Beach Manger to purchase a 2021 Triton LTWC11 PWC Road Trailer for an amount not to exceed \$1,199.00 from Jersey Shore Powersports, Middletown, NJ; and

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

1. Beach Manager
2. Finance Manager
3. Jersey Shore Powersports

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein
 Yes Yes No Yes No Yes

No. 122-2021 Donation of 2021 Beach Badges Borough of Sea Bright

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

WHEREAS, the Governing Body of the Borough of Sea Bright wish to support the fundraising efforts for the local organization listed below by donating two (2) 2021 beach badges as requested:

1. Oceanport PTO **2 Badges**
 Auction – June 26, 2021

WHEREAS, the Borough Auditor has been informed and advised that a resolution should be considered in order to donate 2021 Season Beach Badges.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey authorize the donation of two (2) 2021 Season Beach Badges to the aforementioned charitable organization; and

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

1. Borough Administrator
2. Borough Auditor
3. Individual Requestor

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein
Yes Yes No Yes No Yes

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No. 123-2021 Authorize the Release of Maintenance Bond for Joseph & Kathleen Procopio 10 East New Street - Block 20, Lot 3

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

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

WHEREAS, on April 16, 2019, Joseph and Kathleen Procopio heretofore deposited with the Borough of Sea Bright a two-year maintenance bond in the amount of 15% (\$426.00) of the cost of the improvements on premises known as Block 20, Lot 3 – 10 East New Street; and

WHEREAS, David J. Hoder, P.E., P.P., C.M.E., Borough Consulting Engineer, has advised the Borough Clerk on June 2, 2021 by way of email, a copy of which is on file in the Office of the Borough Clerk, that the bonded improvements have been satisfactorily completed in accordance with the approved site plan and remain in good condition, therefore recommending the release of the aforementioned maintenance bond.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth, that the maintenance bond in the amount of \$426.00 is hereby released, canceled and discharged and authorize the release of any and all remaining escrow, engineering and inspection fees subject to any outstanding fees due.

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

1. Fiscal Officer
2. Construction Official
3. Planning Board Secretary
4. Procopio

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein
Yes Yes No Yes No Yes

No. 124-2021 Authorizing the Borough of Sea Bright to Execute a Right of Entry Agreement with New Jersey Department of Environmental Protection, Division of Parks and Forestry and Monmouth County for the Bridge S-32 Project

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

WHEREAS, the New Jersey Department of Environmental Protection, Division of Parks and Forestry ("Department") and the Borough of Sea Bright ("Borough") and the County of Monmouth ("Grantee") wish to enter into a Right of Entry agreement authorizing the Grantee to enter a portion of the properties on Block 24, Lot 1.01 for staging of the Rumson Road Bridge Replacement Project ("Bridge S-32 Project"); and

WHEREAS, the Property is owned by the Department and is administered by the Department as part of the Leonardo State Marina; and

WHEREAS, on July 29, 2016, the Department and the Borough executed a twenty (20) year Use and Management Agreement ("Management Agreement") for the administration, management, monitoring and maintenance of the Property by the Borough; and

1343-31-020-001

Sea Bright Beach Club
t/a Sea Bright Beach Club
999 Ocean Avenue

RETAIL DISTRIBUTION LICENSES: RENEWAL FEE: \$2,000.00

1343-44-006-014

K&R Holdings of Sea Bright, LLC
t/a Sea Bright Wine & Spirits
1060 Ocean Avenue

1343-44-015-005

MS Retail Corp
t/a Sea Bright Supermarket/Liquors
1160 Ocean Avenue

RETAIL CONSUMPTION LICENSES: RENEWAL FEE: \$2,500.00

1343-33-001-003

Shrewsbury River Inc.
t/a McLoone's
816 Ocean Avenue

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1343-33-002-012

2nd Jetty Holdings LLC
t/a 2nd Jetty
140 Ocean Avenue

1343-33-007-004

Donovan's Reef Inc
t/a Donovan's Reef
1171 Ocean Avenue

1343-33-012-009

Woody's Ocean Grille LLC
t/a Woody's Ocean Grille
1 East Church Street

1343-33-013-006

Shipmasters, Inc.
t/a Even Tide Grille at Navesink Marina
1410 Ocean Avenue

1343-33-016-008

376 Ocean Ave, LLC
t/a Ocean House Tap & Grill
1072 Ocean Avenue

WHEREAS, the liquor license renewals listed below have been accepted by POSSE ABC, all State and Municipal renewal fees have been paid and Retail Tax Clearance Certificates, pursuant to Chapter 161, Laws of NJ 1995, have been granted by the Division of Taxation for the 2021-2022 license term are being considered for renewal pursuant to having received 12.39 special rulings from the Division of Alcohol Beverage Control - Department of Law and Public Safety; and

RETAIL CONSUMPTION LICENSES: RENEWAL FEE: \$2,500.00

1343-33-008-004

Superstar Enterprises, Inc.
t/a The Cove
1250 Ocean Avenue

1343-33-011-008

S. Kelly Corporation
t/a The Mad Hatter
10 East Ocean Avenue

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 renewals, effective July 1, 2021, of the aforesaid liquor licenses for the license term 2021-2022; and

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

1. Chief of Police
2. Licensees
3. Division of Alcoholic Beverage Control

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein
 Yes Yes No Yes No Yes

Surfrider Beach Club for the 2021-2022 License Term

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

WHEREAS, the D. Lobi Enterprise t/a Surfrider Beach Club has submitted a complete application form for the renewal of alcoholic beverage license no. 1343-33-003-004 and has paid the annual fees to both the Borough of Sea Bright and the State of New Jersey, Division of ABC; and

WHEREAS, the Borough Council has received and reviewed the recommendations of the Police Department pertaining to the aforesaid alcoholic beverage license; and

WHEREAS, the Borough Council finds that the aforesaid license should be renewed only upon a special condition necessary to ensure the public health, safety and welfare;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that license number 1343-33-003-004 held by D. Lobi Enterprise, t/a Surfrider Beach Club be and is hereby renewed for the annual license term commencing July 1, 2021 based upon the following special condition:

“No sale, service or consumption of any alcoholic beverage shall be permitted in the parking lot areas of the property. The parking lot areas of the property are not to be considered as part of the licensed premises.”

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BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to the following:

- 1. Chief of Police
- 2. Licensee
- 3. Division of Alcoholic Beverage Control

Roll Call:	Birdsall,	Booker,	Catalano,	Keeler,	Lamia,	Leckstein
	Yes	Yes	No	Yes	No	Yes

No. 128-2021 Renewal of the Alcoholic Beverage License of WATERSEDGE INC., t/a Edgewater Beach Club for the 2021-2022 License Term

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

WHEREAS, the Watersedge Inc., t/a Edgewater Beach Club has submitted a complete application form for the renewal of alcoholic beverage license no. 1343-33-018-008 and has paid the annual fees to both the Borough of Sea Bright and the State of New Jersey, Division of ABC; and

WHEREAS, the Borough Council has received and reviewed the recommendations of the Police Department pertaining to the aforesaid alcoholic beverage license; and

WHEREAS, the Borough Council finds that the aforesaid license should be renewed only upon a special condition necessary to ensure the public health, safety and welfare;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that license number 1343-33-018-008 held by Watersedge Inc., t/a Edgewater Beach Club be and is hereby renewed for the annual license term commencing July 1, 2021 based upon the following special condition:

“No sale, service or consumption of any alcoholic beverage shall be permitted in the parking lot areas of the property. The parking lot areas of the property are not to be considered as part of the licensed premises.”

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to the following:

- 1. Chief of Police
- 2. Licensee
- 3. Division of Alcoholic Beverage Control

Roll Call:	Birdsall,	Booker,	Catalano,	Keeler,	Lamia,	Leckstein
	Yes	Yes	No	Yes	No	Yes

No. 129-2021 Renewal of the Alcoholic Beverage License of SEA HORSE LLC, t/a Driftwood Beach Club for the 2021-2022 License Term

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

WHEREAS, the Sea Horse LLC, t/a Driftwood Beach Club has submitted a complete application form for the renewal of alcoholic beverage license no. 1343-33-004-004 and has paid the annual fees to both the Borough of Sea Bright and the State of New Jersey, Division of ABC; and

WHEREAS, the Borough Council has received and reviewed the recommendations of the Police Department pertaining to the aforesaid alcoholic beverage license; and

WHEREAS, the Borough Council finds that the aforesaid license should be renewed only upon a special condition necessary to ensure the public health, safety and welfare;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that license number 1343-33-004-004 held by Sea Horse LLC, t/a Driftwood Beach Club be and is hereby renewed for the annual license term commencing July 1, 2021 based upon the following special condition:

“No sale, service or consumption of any alcoholic beverage shall be permitted in the parking lot areas of the property. The parking lot areas of the property are not to be considered as part of the licensed premises.”

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to the following:

1. Chief of Police
2. Licensee
3. Division of Alcoholic Beverage Control

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein
Yes Yes No Yes No Yes

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No. 130-2021 Renewal of the Alcoholic Beverage License of 1030 Liquor Partners t/a Tommy's Tavern and Tap for the 2021-2022 License Term

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

WHEREAS, the 1030 Liquor Partners, t/a Tommy's Tavern and Tap has submitted a complete application form for the renewal of alcoholic beverage license no. 1343-33-017-008 and has paid the annual fees to both the Borough of Sea Bright and the State of New Jersey, Division of ABC; and

WHEREAS, the Borough Council has received and reviewed the recommendations of the Police Department pertaining to the aforesaid alcoholic beverage license; and

WHEREAS, the residents who live in close proximity to the licensed premises have expressed concerns to the Borough Council pertaining to the noise which emanates from the licensed premises; and

WHEREAS, the Borough Council finds that the aforesaid license should be renewed only upon special conditions necessary to ensure the public health, safety and welfare; and

WHEREAS, the licensee made application to the Sea Bright unified Planning Board for amended site plan and variance approval pertaining, in part, to the rear dining area and the rear yard area of the premises, which area has been the source of most of the residents expressed concerns; and

WHEREAS, during the course of the Planning Board hearing on the aforesaid application, the licensee stipulated to the imposition of certain conditions upon the Planning Board's approval designed to minimize noise and disturbance to surrounding properties; and

WHEREAS, the Borough Council finds that those stipulations and conditions are reasonably designed to address the expressed concerns of the residents who live in close proximity to the licensed premises; and

WHEREAS, the Borough Council finds that compliance with those conditions will help to ensure the proper operation of the licensed premises in accordance with applicable local ordinances, alcoholic beverage laws and regulations.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that license number 1343-33-017-008 held by 1030 Liquor Partners, t/a Tommy's Tavern and Tap be and is hereby renewed for the annual license term commencing July 1, 2021 subject to the following special conditions:

1. The rear outdoor patio dining area, as such area was depicted on the exhibit presented to and approved by the planning board, will remain separated from the rear yard gathering space.

2. The gates between the rear yard area and patio dining area will be closed at 10:00 p.m. and all patrons will be directed to vacate the rear yard at that time. There will be no access to the rear yard area after 10:00 p.m.
3. There will be no wait service to the rear yard area—no food or drinks will be served in this area but consumption of food and drinks in the rear yard area shall be permitted.
4. No person will be served food unless they are seated at a dining table or bar in the permitted dining areas.
5. The drop down curtain on the canopy over the rear dining area on the Northside ("Nautilus Side") will remain down at all times that the outdoor dining is in use.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to the following:

4. Chief of Police
5. Licensee
6. Division of Alcoholic Beverage Control

Roll Call: Birdsall, Booker, Catalano, Keeler, Lamia, Leckstein
 Yes Yes No Yes No Yes

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ORDINANCE(s):

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

ORDINANCE NO. 08-2021

**AN ORDINANCE OF THE BOROUGH OF SEA BRIGHT
 AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF SEA BRIGHT,
 CHAPTER 61, "ANIMALS", ARTICLE II, "CATS"**

SECTION ONE: Chapter 61 "Animals", Article II "Cats", Section 61-12 "Vaccination and license required", of the Code of the Borough of Sea Bright is hereby amended as follows:

§61-12 Vaccination and license required.

A. Vaccination ~~and license~~ requirements. No person shall own, keep, harbor, or maintain any cat over seven months of age within the Borough of Sea Bright unless such cat is vaccinated ~~and licensed~~ against rabies.

SECTION TWO: Chapter 61 "Animals", Article II "Cats", Section 61-13 "Licensing procedure", of the Code of the Borough of Sea Bright shall be deleted in its entirety.

SECTION THREE: Chapter 61 "Animals", Article II "Cats", Section 61-14 "Restraint required", of the Code of the Borough of Sea Bright is hereby amended as follows:

§61-14 Restraint required.

No cat, ~~either licensed or unlicensed~~, shall be permitted to run at large off the premises of the person owning or having the care, custody or control of the cat or to trespass upon the property of any other resident of the Borough.

SECTION FOUR: All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

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

SECTION SIX: This Ordinance shall take effect immediately upon its passage and publication as required by law.

Councilmember Leckstein offered a motion to open the public hearing on Ordinance No. 08-2021; seconded by Councilmember Booker:

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

Public Hearing (Ord. No. 08-2021)

No one wished to be heard.

Councilmember Leckstein offered a motion to close the public hearing on Ordinance No. 08-2021; seconded by Councilmember Booker:

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

Councilmember Birdsall offered a motion to adopt Ordinance No. 08-2021 and advertise according to law; seconded by Councilmember Leckstein:

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

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

ORDINANCE NO. 09-2021

AN ORDINANCE OF THE BOROUGH COUNCIL OF SEA BRIGHT AMENDING CHAPTER 130, "LAND USE", OF THE CODE OF THE BOROUGH OF SEA BRIGHT TO PERMIT THE OPERATION OF ONE CLASS 5 CANNABIS RETAIL BUSINESS WITHIN ITS GEOGRAPHICAL BOUNDARIES

**Monmouth County Planning Board Acknowledgement Received 06/07/21
Borough of Sea Bright Planning Board Acknowledgement Received 06/07/21**

Councilmember Leckstein offered a motion to open the public hearing on Ordinance No. 09-2021; seconded by Councilmember Booker:

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

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Public Hearing (Ord. No. 09-2021)

Marty Jablow, 1266 Ocean Avenue, commented that a lot of other Monmouth County municipalities have voted to now allow this in their towns and he agrees with them. Mr. Jablow said there are a lot of other things that this Borough needs more that could take up a commercial space – like a drug store or a grocery store. He doesn't see the purpose for our town – feels it will be more of a nuisance.

Susie Markson, 1187 Ocean Avenue asked how the town will benefit from this – Councilman Catalano responded that we would receive 2% of all sales from this type of store.

Joe Ruane, 5 East New Street, is concerned that the surrounding towns are voting NO on this issue and it could be a detriment to our progress of cleaning up our town. It is very difficult to control the intoxicated people now, and it will be worse with cannabis in the mix.

Attorney McLaughlin clarified that allowing a cannabis store is a separate issue from whether or not people will be using marijuana as we cannot prevent having it delivered to the town so the subject of consumption is really not the issue. In addition, the reason a lot of towns are deciding to say no is because no one knows what the State regulations are going to be as they will have all the control.....they towns are saying no until they see what the regulations look like.

Councilman Booker wanted to be clear that if we prohibit this, we will have the ability to revisit as soon as the regulations are established. Councilman Book also clarified that the concept the Borough is looking at would be a retail only grab and go type of establishment

Chris Doxey, 9 Church Street, said that Sea Bright has been through a lot and recovered beautifully since Sandy and feels this will bring the town down.

Susie Markson, 1187 Ocean Avenue, asked for an explanation of the difference between a grab and go liquor store vs. a grab and go cannabis store. Councilman Leckstein said that until the regulations are established, we won't know the answer.

Steven Maynard, Rumson resident, commented that as a prospective applicant to become a micro-dispensary owner, he believes it would be in the Borough's best interest to approve Ordinance 09-2021 to legalize the sale of cannabis in Sea Bright. Mr. Maynard said if the Council votes to postpone this they could miss out on the best candidates.

Sam Redlich, Cannabis Attorney, commented to reiterate that local governments do actually have quite a bit of control of the regulations and recommends the Borough adopt the ordinance as they could amend it accordingly in the future.

Read Murphy, said he was neutral on the matter but feels the potential revenue is important to consider and feels a small retail business would not hurt us.

Councilman Leckstein mentioned that he posted a notice of this public hearing and there seems to be very little interest.

Councilmember Leckstein offered a motion to close the public hearing on Ordinance No. 09-2021; seconded by Councilmember Birdsall:

Roll Call:	Birdsall, Yes	Booker, Yes	Catalano, Yes	Keeler, Yes	Lamia, Yes	Leckstein Yes
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Councilmember Leckstein offered a motion to deny Ordinance No. 09-2021; seconded by Councilmember Keeler:

Roll Call:	Birdsall, No	Booker, Yes	Catalano, No	Keeler, Yes	Lamia, Yes	Leckstein Yes
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Introduction: Mayor Kelly to read the ordinance by title:

ORDINANCE NO. 10-2021
AN ORDINANCE OF THE BOROUGH OF SEA BRIGHT AMENDING AND SUPPLEMENTING CHAPTER 146, "NUISANCES", OF THE CODE OF THE BOROUGH OF SEA BRIGHT TO ADD THERETO A NEW ARTICLE III, "SMOKING REGULATIONS."

Councilmember Leckstein offered a motion to introduce Ordinance No. 10-2021 for a public hearing to be held on July 20, 2021 and advertise according to law; seconded by Councilmember Birdsall:

Roll Call:	Birdsall, Yes	Booker, Yes	Catalano, Yes	Keeler, Yes	Lamia, Yes	Leckstein Yes
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REGULAR MEETING MINUTES

JUNE 15, 2021

Introduction: Mayor Kelly to read the ordinance by title:

ORDINANCE NO. 11-2021
AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF SEA BRIGHT AMENDING CHAPTER 130, "LAND USE," OF THE CODE OF THE BOROUGH OF SEA BRIGHT TO PROHIBIT THE OPERATION OF ALL CLASSES OF CANNABIS ESTABLISHMENTS WITHIN ITS GEOGRAPHICAL BOUNDARIES AND THE BOROUGH OF SEA BRIGHT

Councilmember Leckstein offered a motion to introduce Ordinance No. 11-2021 for a public hearing to be held on July 20, 2021 and advertise according to law; seconded by Councilmember Booker:

Roll Call:	Birdsall, No	Booker, Yes	Catalano, No	Keeler, Yes	Lamia, Yes	Leckstein Yes
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INDIVIDUAL ACTION/New Business:

Vouchers: \$447,940.90

Councilmember Booker offered a motion to approve the Voucher List dated June 15, 2021 as submitted by the Finance Manager; seconded by Councilmember Birdsall:

Roll Call:	Birdsall, Yes	Booker, Yes	Catalano, Yes	Keeler, Yes	Lamia, Yes	Leckstein Yes
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01062	ALL HANDS FIRE EQUIPMENT, LLC					
21-00680	06/09/21 Pump Ops Training			Open		275.00
02113	AMERICAN WATER					
21-00719	06/09/21 SEWER			Open		649.05
00757	ARIAS, JOHN					
21-00625	05/27/21			Open		400.00
02246	ASSOC OF FLOODPLAIN MANAGERS					

21-00618	05/25/21 ZONING	Open	575.00
2597	AT&T MOBILITY		
21-00716	06/09/21 BEACH	Open	332.22
2626	AUTOMATIC PROTECTION SYSTEMS		
21-00593	05/11/21 B&G- FIRE & OTHER SAFETY	Open	320.00
01241	BAIN'S HARDWARE, INC.		
21-00717	06/09/21 HARDWARE	Open	780.23
01957	BENEMAX BENEFIT MANAGEMENT CO.		
21-00660	06/09/21 HEALTH	Open	336.00
01631	BOROUGH OF OCEANPORT		
21-00639	05/27/21 COURT	Open	6,500.00
01974	BOROUGH OF SEA BRIGHT COURT		
21-00727	06/10/21 COURT	Open	24.90
2758	BROTHERS RAILINGS, LLC		
21-00704	06/09/21 BEACH- MAINT. OF OTHER EQUIP.	Open	45.00
00530	BULLET LOCK & SAFE CO., INC.		
21-00634	05/27/21 BUI;LDINGS & GRDS.- MAT & SUP.	Open	32.50
02115	C & L SWEEPER SERVICE		
21-00511	04/26/21 STREET SWEEPER	Open	3,000.00
2557	C.M.R.S.- FP (US POSTAL SRVC)		
21-00741	06/11/21 POSTAGE	Open	600.00
2680	CINTAS		
21-00584	05/11/21 BEACH- MATERIALS & SUPPLIES	Open	101.22
21-00585	05/11/21 BLDGS. & GRDS.- MAT & SUPPLIES	Open	91.25
21-00592	05/11/21 B&G- MATERIALS & SUPPLIES	Open	182.11

			374.58
2555	CJM ASSOC. OF SEA BRIGHT		
21-00641	05/27/21 LEASE	Open	500.00
00256	CLEARY, GIACOBBE, ALFIERI &		
21-00652	06/01/21 LEGAL	Open	560.00
01801	COLLIER ENGINEERING & DESIGN		
21-00261	03/03/21 ENGINEER	Open	676.00
21-00377	03/30/21 ENGINEER	Open	4,295.00
21-00737	06/10/21 ENGINEER	Open	2,818.63

			7,789.63
01988	COMPTON, BARBARA		
21-00665	06/09/21 CLERK	Open	35.00

REGULAR MEETING MINUTES

JUNE 15, 2021

01493	COOPERATIVE INDUSTRIES, L.L.C.		
21-00729	06/10/21 NATURAL GAS	Open	812.00
2655	DE SESA ENGINEERING CO.		
21-00629	05/27/21 BUILDINGS & GROUNDS- MAINT. OF	Open	401.00
2286	DIFRANCESCO, BATEMAN, KUNZMAN		
21-00619	05/26/21 LEGAL	Open	2,560.00
2587	EASTERN JANITORIAL CO.		
21-00590	05/11/21 BEACH- CONTRACTUAL	Open	2,416.00
01720	FIREFIGHTER ONE, LLC		
21-00280	03/05/21 SCBA Flow Testing	Open	1,551.20
2406	FP MAILING SOLUTIONS		
21-00646	05/27/21 POSTAGE MACHINE	Open	126.00
00978	FRIEDMAN, BRETT		
21-00675	06/09/21	Open	355.00
02101	GANNETT NJ		
21-00654	06/02/21 CLERK	Open	41.40
01549	GENERAL CODE, LLC		
21-00648	05/27/21 A&E	Open	1,195.00
00979	GIBBONS, P.C.		
21-00736	06/10/21 LEGAL	Open	475.00
01657	GOWAN, KERRY		
21-00531	04/30/21 ANIMAL	Open	440.00
00509	H. BARBER AND SONS, INC.		
21-00583	05/11/21 BEACH- MAIN. OF EQUIPMENT	Open	1,237.58
01838	HOLMAN, FRENIA, ALLISON, P.C.		
21-00667	06/09/21 AUDIT	Open	26,200.00
2710	HOLMDEL TOWNSHIP		
21-00640	05/27/21 FISCAL OFFICER	Open	3,312.50

01248	HUEGEL, RICHARD		
21-00624	05/27/21 POLICE-CLOTHING ALLOWANCE	Open	1,250.00
2561	INTRON TECHNOLOGY SOLUTIONS		
21-00740	06/11/21 COMPUTER	Open	11,221.00
2573	JCP & L		
21-00731	06/10/21 ELECTRIC	Open	8,761.01
00297	JESSE A. HOWLAND & SONS, INC.		
21-00642	05/27/21 LEASE	Open	1,705.00
21-00643	05/27/21 LEASE	Open	1,000.00

			2,705.00
01784	JUNGLE LASERS, LLC		
21-00666	06/09/21 BLDG. DEPT	Open	640.00
02110	KLEIN, DON		
21-00651	05/27/21 BEACH	Open	2,078.12
21-00661	06/09/21 REC.	Open	213.31

			2,291.43
2417	MARLIN BUSINESS BANK		
21-00645	05/27/21 POSTAGE	Open	94.00
2278	MCLAUGHLIN, STAUFFER & SHAKLEE		
21-00663	06/09/21 LEGAL	Open	9,859.74
02045	MONMOUTH COUNTY SPCA		
21-00638	05/27/21 ANIMAL	Open	325.00
01323	MONMOUTH COUNTY TREASURER		
21-00519	04/29/21 POLICE-CONTRACTUAL SERVICES	Open	1,500.00
01399	NEW JERSEY AMERICAN WATER		
21-00653	06/02/21 WATER	Open	3,764.03
00696	NEW JERSEY FIRE EQUIPMENT CO.		
21-00627	05/27/21	Open	272.00
00113	NJ NATURAL GAS COMPANY		
21-00644	05/27/21 NATURAL GAS	Open	1,469.97
00502	NJ STATE LEAGUE/MUNICIPALITIES		
21-00560	05/06/21 DPW	Open	115.00
21-00730	06/10/21 BLDG. DEPT.	Open	340.00

			455.00
01309	OCEANPORT BOARD OF EDUCATION		
20-00807	07/15/20 SCHOOL TAX	Open	52,033.00
00046	ONE CALL CONCEPTS, INC.		
21-00647	05/27/21 SEWER	Open	74.36
21-00715	06/09/21 SEWER	Open	50.05

			124.41

REGULAR MEETING MINUTES

JUNE 15, 2021

00163	OSWALD ENTERPRISES, INC.		
21-00589	05/11/21 SEWER- CLEANING & MAINT OF FAC	Open	2,165.00
01737	PENGUIN MANAGEMENT, INC.		
21-00579	05/11/21 Subscription	Open	1,074.00
00081	PERRY'S TROPHY CO., INC.		
21-00659	06/04/21 PLAN. BRD.	Open	15.00
2292	PETRUZZELLI BROS EXCAVATING CO		
21-00581	05/11/21 BLDGS. & GRDS- MAINT. OF	Open	1,800.00
2525	POOR JOHNS PORTABLE TOILETS		
21-00728	06/10/21 BEACH	Open	366.00
00164	RAIN, WILLIAM		
21-00637	05/27/21 HEALTH	Open	144.60
2728	READY REFRESH BY NESTLE		
21-00718	06/09/21 WATER	Open	334.38
2745	REMINGTON & VERNICK ENGINEERS		
21-00400	04/01/21 SANITARY SEWER PROJECT	Open	9,668.00
01554	SEA BRIGHT SERVICE CENTER		
21-00671	06/09/21	Open	175.90
21-00712	06/09/21 POLICE: VEHICLE MAINTENANCE	Open	1,123.60

			1,299.50
00027	SEABOARD WELDING SUPPLY, INC.		
21-00714	06/09/21 DPW	Open	14.50
00053	SHORE REGIONAL HIGH SCHOOL		
20-00809	07/15/20 SCHOOL TAX	Open	193,570.00
2754	SLEEK E-BIKES		

Second, a special events request came in that needs to be approved before the next special events meeting. The Clerk summarized the nature of the event and Council agreed to approve. (see Resolution No. 131-2021 below).

Last item, Councilman Leckstein said he was approached by the Fire Department requesting permission to sell raffle tickets on the boardwalk. Council unanimously approved the request.

Councilman Keeler reported he spoke to the Court Clerk and said tomorrow will be the first day the court office will be open to the public, although court sessions will continue to be held via ZOOM for another month or so. Councilman Keeler reported there will be a safety meeting with the JIF this Friday if anyone would like to attend. Councilman Keeler also brought to everyone's attention in the NJ League magazine article on tourism featured a picture of the beach in Sea Bright.

INDIVIDUAL ACTION/RESOLUTIONS:

No. 131-2021 Authorizing a Special Event Tigger House Foundation End of School Celebration

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

WHEREAS, the Special Events Committee of the Borough of Sea Bright received an application on June 14, 2021 from Amy Thomas, Tigger House Foundation, requesting a permit to hold an end of year celebration at the volleyball courts on the municipal beach on June 24, 2021 from 3:00pm – 5:00pm with approximately 30 students in attendance; and

WHEREAS, since the Special Events Committee is not meeting prior to the proposed date of June 24, 2021, the Borough Council may exercise its authority under Chapter 179 of the Code of the Borough of Sea Bright to grant approval for this event; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the Special Events permit application received on June 14, 2021 from Amy Thomas, Tigger House Foundation, is hereby approved to hold an end of year celebration at the volleyball courts on the municipal beach on June 24, 2021 from 3:00pm – 5:00pm; and

BE IT FURTHER RESOLVED, beach badges will not be required to access the beach for this event; and

BE IT FURTHER RESOLVED that the Special Events Secretary and Borough Clerk shall insure that all 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. Applicant
3. Borough Police Chief

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

REGULAR MEETING MINUTES

JUNE 15, 2021

No. 132-2021 Authorizing Receipt of Bids for 2021 Summer Businesses on the Basketball Court

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

WHEREAS, the Borough Council is desirous of receiving bids for the following business to be held on the Basketball Court during the summer of 2021:

- 1) Use of Municipal Basketball Court for Workout Classes

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright, County of Monmouth that it does hereby authorize the Borough Clerk to advertise for bid for the aforesaid item as per the specifications on file and will be received by the Borough Clerk in the Municipal Complex, 1099 Ocean Avenue, Sea Bright, New Jersey on a date to be determined; and

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

1. Finance Manager

