

**MINUTES
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

JULY 20, 2021

SEA BRIGHT, NEW JERSEY

TO ATTEND THIS MEETING REMOTELY PLEASE USE THE FOLLOWING LINK:

<https://global.gotomeeting.com/join/941209477>

OR DIAL: (646) 749-3335

Access Code: 941-209-477

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 Richard Shaklee,
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.

Charlie Rooney, 196 Ocean Avenue, stated that last weekend was the Andy Rooney Memorial Two-Mile Swim with over 150 swimmers - it was a great success and he thanked everyone involved. Mr. Rooney provided an update on the school regionalization situation - the new legislation passed 72-0 in the Assembly. This will become law on August 5th unless Governor Murphy vetoes it. Mr. Rooney believes what we are on the right track, and supports the resolutions on the agenda tonight and said we are being proactive and prepared to continue moving forward.

Kristen Maloney, 630 Ocean Avenue, expressed her concerns about the tidal garbage problem in north beach and the protocol for when bio-hazardous waste washes up. She presented a board of pictures she took over the past few weeks of the garbage and biohazardous waste. She understands the plover nesting restrictions but would like the Borough to come up with a solution or better approach. Ms. Maloney presented some options to get a volunteer effort or business program. Administrator Verruni stated that if there is an emergency in north beach we can contact the Fish and Wildlife Commission and they send out monitors and determine if it is necessary to cleanup which we just did. For these situations, they have allowed us to rake along the water line. It is a tough time between March 15th - September 15th since we are not allowed to use machinery without their permission. Our ordinance was created to comply with the DEP and Fish and Wildlife Commission.

Marc Fisher, 91 Third Avenue, Atlantic Highlands, stated he is very interested in the school regionalization situation from an Atlantic Highlands standpoint. He questioned the extension of the feasibility study - Mayor Kelly clarified that we are bringing the study up to date. Mr. Verruni stated that we are hopeful that the other two municipalities will join in on the shared cost, but this is absolutely necessary to do. Mr. Fisher stated that Atlantic Highlands Elementary School is conducting a study as well and it will be interesting to see the comparison on the two once they are both up to date and complete. Mayor Kelly explained that all three municipalities plan to hold town hall meetings to get the most accurate information to their residents and we hope to move forward with the referendum sooner than later.

Richard Gary, 17 Church Street, expressed his concerns regarding the feral cat issue in the downtown particularly in the west side of Church Street. All the residents are upset about the current conditions and it really needs to be resolved. Mr. Verruni explained that Chief Friedman and his staff put together an agreement with the SPCA for the trap, neuter, and release program and we have been utilizing it. Mr. Gary stated it is a nuisance and a health hazard and creating property damage. Chief Friedman explained that his neighbors are contributing to the nuisance by feeding the cats - he will be happy to write summons if necessary, but it is difficult when the Borough pays for residents to feed the cats.

Chris Jerry, 15 Church Street, questioned what the difference is with dogs creating nuisances in yards vs. cats. Mayor Kelly explained that we have had these problems for decades and we have been trying to work through it. Councilman Birdsall stated that if you see anyone feeding the cats please contact the Police Department.

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:

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

Minutes

06-09-2021	Workshop Meeting
06-09-2021	Executive Session
06-15-2021	Regular Meeting
06-15-2021	Executive Session
06-30-2021	Special Meeting
06-30-2021	Executive Session

Resolutions:

No. 137-2021 Authorizing Release of Performance Guarantees Edgewater Beach Club – 1465 Ocean Avenue Block 4, Lot 6

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) permits the Borough of Sea Bright to accept certain improvements and to release performance guarantees posted by Developers when said improvements have been certified as complete by the Borough Engineer; and

WHEREAS, Edgewater Beach Club has heretofore deposited with the Borough of Sea Bright a Site Safety and Stabilization Guarantee Bond in the amount of \$7,300.00 (100% in the form of cash) to guarantee the completion of all improvements on premises known as Block 4, Lot 6 also known as 1465 Ocean Avenue; and

WHEREAS, David J. Hoder, P.E., P.P., Hoder Associates Consulting Engineers, has advised the Borough Clerk by letter dated June 11, 2021, a copy of which is on file in the Office of the Borough Clerk and made a part hereof, that the improvements are complete and in accordance with the resolution of approval from the Planning Board and recommends the acceptance of same and the release of the aforementioned performance guarantee and any outstanding engineering and/or inspection fees; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, that the improvements hereinbefore referred to be and the same are hereby accepted as per the aforesaid memorandum of David J. Hoder, P.E., P.P., Hoder Associates Consulting Engineers and the Site Safety and Stabilization Guarantee Bond totaling \$7,300.00 and any remaining inspection fees are hereby released, canceled and discharged; and

BE IT FURTHER RESOLVED, as per the aforesaid memorandum of David J. Hoder, P.E., P.P., Hoder, as there are no off-site bondable improvements, the applicant will not be required to submit a Maintenance Bond; and

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

- 1. Edgewater Beach Club
- 2. Finance Manager
- 4. Fiscal Officer
- 5. David J. Hoder, P.E., P.P.

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

No. 138-2021 Authorizing Receipt of Bids Construction of Viewing Platforms on Center Street and Beach Street

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

WHEREAS, the Borough Council is desirous of receiving bids for the following:

- a) Construction of Viewing Platforms on Beach Street and Center Street

WHEREAS, specifications for the aforesaid items 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, State of New Jersey that it does hereby authorize the Borough Clerk to advertise for bids for the aforesaid item as per the specifications on file and will be received by the Borough Administrator at 1099 Ocean Avenue, Sea Bright, New Jersey on a date and time to be determined; and

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

- 1. Finance Manager
- 2. Department of Public Works
- 3. CFO
- 4. Engineer

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

No. 139-2021 Approval to Submit a Grant Application and Execute a Grant Contract With The New Jersey Department of Transportation for the Ocean Ave Crosswalk Safety Enhancements Phase 1 Project

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

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk and Colliers Engineering & Design are hereby authorized to submit an electronic grant application identified as SST-2022-Ocean Ave Crosswalk Safety Enhancem-00020 to the New Jersey Department of Transportation on behalf of Borough of Sea Bright.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Sea Bright and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

No. 140-2021 Approval to Submit a Grant Application and Execute a Grant Contract With The New Jersey Department of Transportation for Imbrie Place, Osborne Place, Surf Street Improvements Project

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

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk and Colliers Engineering & Design are hereby authorized to submit an electronic grant application identified as MA-2022-Imbrie Place and Osborne Place, Surf Street Improvement-00322 to the New Jersey Department of Transportation on behalf of Borough of Sea Bright.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Sea Bright and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

No. 141-2021 Authorizing the Acceptance of State Funds and the Borough’s Participation in the State Body-Worn Camera Grant Program, Administered by the State of New Jersey Department of Law & Public Safety

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

WHEREAS, P.L. 2020, Chapter 128 (approved November 24, 2020) requires that all uniformed patrol officers be equipped with body-worn cameras; and

WHEREAS, the State of New Jersey, Department of Law and Public Safety, Office of the Attorney General has established the SFY21 Body-Worn Camera Grant Program designed to provide eligible law enforcement agencies with state funding to aid in the purchase of body-worn cameras, ancillary equipment and storage and has made \$57,500,000.00 available for distribution; and

WHEREAS, the Borough Council approved Resolution No. 100-2021 on May 4, 2021 which authorized the submission of a grant application for the SFY21 Body-Worn Camera Grant Program; and

WHEREAS, the State of New Jersey Law and Public Safety Office of the Attorney General has given notice of availability and award of funds for the Body-Worn Camera Grant Program; and

WHEREAS, the Borough’s award number under the “SFY21 Body-Worn Camera Grant Program” (BWC Grant Program) is **21-BWC-057**, the award period is January 1, 2021 through December 31, 2025, and the amount of the Borough’s State award is \$36,684.00; and

WHEREAS, funding is to be used towards the cost of implementing the BWC Grant Program; 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 Borough is hereby authorized and hereby does accept the 2021 Body-Worn Camera Grant funding from the State of New Jersey, Department of Law & Public Safety, Office of the Attorney General in the amount of \$36,684.00 for the purposes described herein; and

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

- 1. Sea Bright Police Chief
- 2. Finance Manager
- 3. Chief Financial Officer
- 4. NJ Department of Law and Public Safety

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

No. 142-2021 Chapter 159 Budget Amendment State Of New Jersey SFY21 Body-Worn Camera Grant

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

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$36,684.00 which is now available as a revenue from:

SFY21 Body-Worn Camera Grant Program

BE IT FURTHER RESOLVED that the like sum of \$36,684.00 is hereby appropriated under the caption of:

SFY21 Body-Worn Camera Grant Program

BE IT FURTHER RESOLVED that the above is the result of funds awarded to the Sea Bright Police Department from the SFY21 Body-Worn Camera Grant Program in the amount of \$36,684.00.

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

No. 143-2021 Authorizing Hiring of Police Officer Designation of SLEO Class II

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

**No. 145-2021 Authorizing Special Counsel, Porzio, Bromberg, & Newman, P.C.,
to Prepare and Submit a Petition to the Commissioner of Education
Seeking Authorization to Hold a Referendum on the Issue of the
Creation of a PK-12 All Purpose Regional School District with
Sea Bright, Highlands, and Atlantic Highlands**

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

WHEREAS, the Borough of Sea Bright ("Sea Bright") is a member of the consolidated Oceanport School District ("Oceanport") pursuant to a 2009 mandatory merger under P.L. 2009, c. 78 (eliminating non-operating school districts) and, by virtue of that membership, students residing in Sea Bright in grades PK-8 are educated in schools operated by Oceanport; and

WHEREAS, Sea Bright is a member of a limited purpose regional school district, Shore Regional High School District ("Shore Regional"), whereby students residing in Sea Bright in grades 9-12 are educated in schools operated by Shore Regional; and

WHEREAS, Sea Bright, the Borough of Highlands ("Highlands"), and the Borough of Atlantic Highlands ("Atlantic Highlands") wished to determine the viability and impact of a proposed school district reconfiguration whereby a new All-Purpose PK-12 Regional School District would be created with Sea Bright, Atlantic Highlands, and Highlands as constituent districts of this new district and which would educate all students residing in the three communities in grades PK-12;

WHEREAS, in an effort to explore this proposed school district reconfiguration, Sea Bright, Highlands, and Atlantic Highlands retained Porzio, Bromberg, & Newman, P.C., to facilitate a feasibility study that would be prepared by Statistical Forecasting, LLC, Porzio Compliance Services, LLC; James L. Kirtland, CPA, and David Corso; and

WHEREAS, in March 2020 Statistical Forecasting, LLC, Porzio Compliance Services, LLC; James L. Kirtland, CPA, and David Corso issued a report that analyzed the financial, demographic, and educational impact of creating a new All-Purpose PK-12 regional school district which would be responsible for educating students residing in Sea Bright, Highlands, and Atlantic Highlands; and

WHEREAS, with regard to educational impact, the feasibility study concluded that "[t]he All-Purpose PK-12 Regional District will present distinct advantages" for students from Sea Bright, Highlands, and Atlantic Highlands "as opposed to the status quo given the degree of cooperation, alignment and articulation possible through a unified district from PK-12 in areas of curriculum, instruction, student services, transitions, enrichment, athletics and clubs, governance and leadership;" and

WHEREAS, the feasibility study further concluded "that a new All-Purpose PK-12 Regional District consisting of Highlands, Atlantic Highlands and Sea Bright will have the best opportunity to put in place those characteristics of successful schools and will be best able to respond to demographic, educational, and fiscal challenges in the future" and that "[t]o the extent the Sea Bright students bring greater diversity to these schools, the proposal will have a positive educational impact on students from Highlands and Atlantic Highlands."

WHEREAS, with regard to the financial impact of the possible reconfiguration, the feasibility study concluded that "the increased financial resources that Sea Bright students will bring to the regional district provides the opportunity for greater investments in education resources, programs and services" while still providing long-term tax savings to Sea Bright and moving "to an arguably fairer and more equitable allocation of cost methodology" for all three communities; and

WHEREAS, the criteria established in Section 11(a) of P.L. , c. paragraphs (2) through (8) have been met as the Feasibility Study demonstrates that the approval of the application:

1. "is not foreseeably likely to increase or exacerbate the segregation of students by racial, socioeconomic, disability, or English Language Learner status..."
2. "consolidates school districts that are in close geographic proximity of each other...;"
3. "to the maximum extent practicable, reduces student seat time and transportation costs;"
4. "possesses the potential for improved efficiency and cost savings;"
5. "possesses the potential to advance an enhanced learning environment for participating school districts;"
6. "coordinates curriculum across schools and grades throughout the proposed limited purpose or all purpose regional district; and"
7. "reflects a documented commitment from the affected boards of education to make good faith efforts to implement practices that promote efficiency and quality of education."

WHEREAS, the proposed regionalization provides for the payment, pursuant to Section 11(c) of P.L. , c. , of "transitional support to the limited purpose or all purpose regional district or consolidated school district..." which is being separated from; and

WHEREAS, as a result, the consultants who prepared the feasibility study recommended "that Highlands, Atlantic Highlands and Sea Bright Regional continue to pursue the creation of a new All-Purpose PK-12 Regional District as outlined in the proposed scenario;" and

NOW THEREFORE BE IT RESOLVED that, after due consideration, Sea Bright has determined that its students can receive an outstanding and fully aligned and articulated PK-12 education by withdrawing from Oceanport and Shore Regional and forming a new All-Purpose PK-12 Regional School District with Highlands and Atlantic Highlands; and

BE IT FURTHER RESOLVED that Sea Bright has determined that there exists good cause to pursue a referendum on the creation of a new PK-12 All Purpose Regional School District with Highlands and Atlantic Highlands so as to provide its voters with the ability to decide how their tax dollars are spent and how their children are educated; and

BE IT FURTHER RESOLVED that Sea Bright seeks to have a referendum on the creation of this new PK-12 All Purpose Regional School District and simultaneously to withdraw from Oceanport and Shore Regional, with approval from the Commissioner of Education pursuant to Section 11 of P.L. , c. ; and

BE IT FURTHER RESOLVED that Sea Bright authorizes special counsel, Porzio, Bromberg, & Newman, P.C., to prepare and submit a petition, pursuant to state law, to the Commissioner of Education seeking authorization to hold a referendum on the issue of the creation of a PK-12 All Purpose Regional School District with Sea Bright, Highlands, and Atlantic Highlands and by which passage of such referendum will simultaneously withdraw Sea Bright from Oceanport and Shore Regional; and

BE IT FURTHER RESOLVED that Sea Bright authorizes special counsel, Porzio, Bromberg, & Newman, P.C., to take any and all appropriate action to obtain the aforementioned authorization from the Commissioner of Education and to effectuate same.

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

**No. 146-2021 Authorizing the Purchase of Police Department Vehicle
2021 Ford Explorer**

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

WHEREAS, the Borough of Sea Bright Police Department has the need to purchase a new police vehicle; and

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.

WHEREAS, the Borough of Sea Bright wishes to purchase a 2021 Ford Explorer from Winner Ford of Cherry Hill, 250 Berlin Road, Cherry Hill, NJ, under State Contract No. 88728, for a base amount of \$30,344.00 and the necessary police apparatus installed in the amount of \$1,600.00 for a total cost of \$31,944.00; and

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, hereby certify that funds in the amount of \$31,944.00 will be available in the 2021 Budget Line Items 0-01-25-240-251 and G-02-41-305-000 for the purpose stated herein as follows:


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 purchase of a 2021 Ford Explorer under State Contract No. 88728 from Winner Ford of Cherry Hill, 250 Berlin Road, Cherry Hill, NJ 08034 for a total amount of \$31,944.00; and

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

- 1. Police Chief
- 2. Finance Manager
- 3. Winner Ford of Cherry Hill

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

ORDINANCE(s):**Public Hearing:** 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 open the public hearing on Ordinance No. 10-2021; seconded by Councilmember Keeler:

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

Public Hearing (Ord. No. 10-2021)**No one wished to be heard.**

Councilmember Leckstein offered a motion to close the public hearing on Ordinance No. 10-2021; seconded by Councilmember Keeler:

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

Councilmember Leckstein offered a motion to adopt Ordinance No. 10-2021 and advertise according to law; seconded by Councilmember Keeler:

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

SECTION ONE. Chapter 146, "Nuisances", of the Code of the Borough of Sea Bright be and the same is hereby amended to add thereto the following new Article:

ARTICLE III: Smoking Regulations**§ 146-13 Findings.**

The Mayor and Council of the Borough of Sea Bright hereby finds and determines that:

- i. The smoking of tobacco products is a major contributor to air pollution and breathing in secondhand smoke is a cause of disease to nonsmokers;
- ii. The United States Department of Environmental Protection (EPA) has designated secondhand smoke as a Class A carcinogen, as well as a significant cause of respiratory problems in children;
- iii. In 1986 the United States Surgeon General found that the active smoking of tobacco products and the passive inhalation of environmental tobacco smoke are the most prevalent causes of preventable death, disease and disability;
- iv. The United States Surgeon General found that separating smokers from nonsmokers within the same air space does not eliminate the exposure of nonsmokers to environmental tobacco smoke;
- v. The New Jersey Legislature found and declared that tobacco is the leading cause of preventable disease and death in the State of New Jersey and the nation and tobacco smoke constitutes a substantial health hazard to the nonsmoking majority of the public;
- vi. The State of New Jersey has acknowledged that careless smoking is the leading cause of death from fire;
- vii. Smoking leads to the inevitable discard of tobacco products and a source of litter by those who fail to properly dispose of cigarettes;
- viii. The State of New Jersey entered into litigation against various tobacco product manufacturers and others for the purpose of improving the public's health and adopting policies and programs to achieve a significant reduction in smoking by its citizens, and in particular, by youth and, as part of a settlement, the State of New Jersey received significant funding for the advancement of

- ix. public health, including the implementation of important tobacco-related public health measures and restrictions.
- x. In 2006, the Legislature enacted the New Jersey Smoke Free Air Act, N.J.S.A. 26:3D-55 et seq., creating an outright ban on smoking in virtually all public indoor facilities and extending such ban to the grounds of any public or nonpublic elementary or secondary school, regardless of whether the area is an indoor or outdoor public place and expanded same in 2019 to include public beaches and parks; and
- xi. The Legislature has deemed the control of smoking to be a necessary and proper exercise of municipal authority pursuant to N.J.S.A. 40:48-1 et seq., 40:48-2 et seq., and N.J.S.A. 2C:33-13 for the preservation of public health, safety and welfare of the community.

§ 146-14 Definitions.

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

(1) "Beach" means the gentle sloping of sand adjacent to the Atlantic Ocean in the Borough of Sea Bright that extends landward from the mean high waterline of the ocean to a man-made feature generally parallel to the ocean, such as a seawall, fence, parking lot, retaining wall or other structure, whichever is closest to the ocean. "Beach" shall include supervised beaches, unsupervised beaches, private beaches, beach clubs, beach access, dunes, foreshore and the Atlantic Ocean as defined herein.

(2) "Electronic smoking device" means an electronic device that can be used to deliver nicotine or other substance to that person inhaling from the device, including, but not limited to, an electric cigarette, cigar, cigarillo, or pipe.

(3) "Indoor public place" means a structurally enclosed place of business, commerce or other service-related activity, whether publicly or privately owned or operated on a for-profit or nonprofit basis, which is generally accessible to the public, including, but not limited to: a commercial or other office building; office or building owned, leased or rented by the State or by a county or municipal government; public and nonpublic elementary or secondary school building; board of education building; theater or concert hall; public library; museum or art gallery; bar; restaurant or other establishment where the principal business is the sale of food for consumption on the premises, including the bar area of the establishment; garage or parking facility; any public conveyance operated on land or water, or in the air, and passenger waiting rooms and platform areas in any stations or terminals thereof; health care facility licensed pursuant to P.L.1971, c. 136 (C.26:21-1-1 *et seq.*); patient waiting room of the office of a health care provider licensed pursuant to Title 45 of the Revised Statutes; child care center licensed pursuant to P.L.1983, c. 492 (C.30:5B-1 *et seq.*); race track facility; facility used for the holding of sporting events; ambulatory recreational facility; shopping mall or retail store; hotel, motel or other lodging establishment; apartment building lobby or other public area in an otherwise private building; or a passenger elevator in a building other than a single-family dwelling.

(4) "Park" means any athletic fields, playgrounds and other active and passive recreation areas primarily of service to youth, owned, leased, operated or under the ownership control of the Borough of Sea Bright to which the general public is invited and youth under the age of 18 may gather.

(5) "Person" means any individual, partnership, cooperative association, private corporation, personal representative, receiver, trustee, assignee or any other legal entity.

(6) "Public Building" means Any building, structure, facility or complex, including appurtenant parking areas, owned, leased, operated or under the ownership control of the Borough of Sea Bright to which the general public is invited.

(7) "Smoking" means burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, hookah or similar device, or any other device which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

(8) "Workplace" means a structurally enclosed location or portion thereof at which a person performs any type of service or labor.

§ 146-15 Restrictions.

(1) Smoking shall be prohibited by any person, regardless of age, in all public parks, beaches and recreation facilities owned or leased by the Borough of Sea Bright, including that land upon which the public is invited or upon which the public is permitted and where individuals gather for recreation activities, including all areas adjacent to such facilities, including, but not limited to, parking areas, driveways or drive aisles, which have been designated by no-smoking signs and which are hereafter designated as "Smoke and Tobacco Free Places."

(2) Smoking shall be prohibited by any person, regardless of age, in any indoor public place, or workplace within the Borough of Sea Bright.

(3) No person shall smoke a cigarette, cigar, electronic smoking device or any other materials by any means in the beachfront area, entire beachwalk and all access ramps that lead to the beachwalk at any time.

§ 146-16 Signs. Signs shall be clearly, sufficiently, and conspicuously posted where smoking is prohibited by this section. The signs shall state "NO SMOKING," and/or contain the international no-smoking symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a diagonal red line through its cross section).

§ 146-17 Enforcement. The Sea Bright Police Department and any municipal officer charged with code enforcement is hereby charged with enforcement of this Article. Further, the person having control over an indoor public place or workplace shall order any person smoking in violation of this section to comply with the ordinance.

§ 146-18 Penalty. Anyone who smokes in violation of this ordinance is subject to a fine of \$200.00.

SECTION TWO. All other provisions of § 146, "Nuisance," remain unchanged and remain in full force and effect.

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

SECTION FOUR. Should any section, paragraph, clause or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

SECTION FIVE. This Ordinance shall take effect upon its passage and publication according to law.

Public Hearing: 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

Monmouth County Planning Board Acknowledgement Received 06/23/21
Borough of Sea Bright Planning Board Acknowledgement Received 07/14/21

Councilmember Leckstein offered a motion to open the public hearing on Ordinance No. 11-2021; seconded by Councilmember Catalano:

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

Public Hearing (Ord. No. 11-2021)

Eoin Duane, 10 Church Street, questioned the current situation on permitting cannabis in town. Attorney Shaklee responded that at the last meeting it was being considered to allow for retail sales and the Governing Body decided to hold off on that approval and move forward with prohibiting the sale while the State is ironing out the regulations. Mr. Duane believes it is a bad idea and asked council why they believe this would benefit the town. Councilman Birdsall stated that this would be highly regulated and the only business that the town would benefit financially from through a tax based on a percentage of sales.

Chris Jerry, 15 Church Street, expressed his concerns about the potential traffic, parking and lines of people for this type of business – especially during the summer months.

Richard Gary, 17 Church Street, expressed his opposition of allowing cannabis sales in the Borough and believes an issue as important as this should be before the public to a greater extent – residents need to become aware of the potential for this type of business – and suggested sending out a mailer or holding a town hall meeting.

Mike Coburn, 1246 Ocean Avenue, believes there is a lack of education regarding this topic and said there are only so many licenses that will be issued and we are missing an opportunity of revenue.

Steve Maynard, Rumson, stated that he would be one of the Borough’s first applicants to open a very small, respectful retail store. The majority of voters in Sea Bright and the surrounding municipalities voted “yes” to legalize cannabis. Mr. Maynard strongly urged Council to allow for the retail sales now so they don’t miss out on the opportunity.

Councilmember Leckstein offered a motion to close the public hearing on Ordinance No. 11-2021; seconded by Councilmember Birdsall:

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

Councilmember Leckstein offered a motion to adopt Ordinance No. 11-2021 and advertise according to law; seconded by Councilmember Keeler:

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

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

WHEREAS, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner

and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

WHEREAS, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

WHEREAS, the Borough Council of the Borough of Sea Bright has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on the Borough of Sea Bright in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of the Borough of Sea Bright's residents and members of the public who visit, travel, or conduct business in the Borough of Sea Bright, to amend the Borough of Sea Bright's zoning regulations to prohibit all manner of marijuana-related land use and development within the geographic boundaries of the Borough of Sea Bright; and

WHEREAS, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which the Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within the Act's 180-day period in order to ensure sufficient time to carefully review all aspects of the Act and its impacts;

NOW THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, as follows:

1. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in the Borough of Sea Bright, except for the delivery of cannabis items and related supplies by a delivery service.

2. Article VII, "Area, Bulk and Use Requirements," of Chapter 130, "Land Use," of the Code of the Borough of Sea Bright, Section 130-38, "Uses Permitted," subsection G, "Prohibited Uses," is hereby amended by adding to the list of prohibited uses, the following: "All classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service."

3. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Borough of Sea Bright inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

4. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

5. This ordinance shall take effect upon its passage and publication according to the law.

Introduction: Mayor Kelly to read the ordinance by title:

BOND ORDINANCE NO. 12-2021

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$160,000 FOR ACQUISITION OF EQUIPMENT FOR THE FIRE DEPARTMENT FOR AND BY THE BOROUGH OF SEA BRIGHT IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$152,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

Councilmember Booker offered a motion to introduce Ordinance No. 12-2021 for a public hearing to be held on August 17, 2021 and advertise according to law; seconded by Councilmember Keeler:

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

Councilman Birdsall asked for a breakdown of the costs: Administrator Verruni responded the acquisition of command vehicles/trucks cost is \$100,000, \$30,000 for the self-contained breathing apparatus and \$20,000 for other personal protection equipment.

Introduction: Mayor Kelly to read the ordinance by title:

BOND ORDINANCE NO. 13-2021

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$140,000 FOR SEWER UTILITY IMPROVEMENTS FOR AND BY THE BOROUGH OF SEA BRIGHT IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$133,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

Councilmember Birdsall offered a motion to introduce Ordinance No. 13-2021 for a public hearing to be held on August 17, 2021 and advertise according to law; seconded by Councilmember Booker:

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

Introduction: Mayor Kelly to read the ordinance by title:

BOND ORDINANCE NO. 14-2021

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$125,000 FOR CONSTRUCTION OF ACCESSIBLE VIEWING PLATFORMS ALONG THE BULKHEAD AT CENTER STREET AND BEACH STREET FOR AND BY THE BOROUGH OF SEA BRIGHT IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$118,750 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

Councilmember Birdsall offered a motion to introduce Ordinance No. 14-2021 for a public hearing to be held on August 17, 2021 and advertise according to law; seconded by Councilmember Booker:

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

INDIVIDUAL ACTION/New Business:

Vouchers: \$1,583,950.54

Councilmember Birdsall offered a motion to approve the Voucher List dated July 20, 2021 as submitted by the Finance Manager; seconded by Councilmember Keeler:

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

2767	A & K Equipment Company Inc.					
21-00772	07/01/21 Veh. Maint 2013 Ford F450	Open			539.25	
01062	ALL HANDS FIRE EQUIPMENT, LLC					
21-00755	06/23/21 EQUIPMENT	Open			368.02	
02227	APOLLO SEWER & PLUMBING, INC.					
21-00759	06/23/21 B&G-MAINTENANCE OF B&G	Open			375.00	
2756	ASCETTINO RESURFACING					
21-00742	06/15/21 BEACH- OTHER PROF. SERVICES	Open			3,800.00	
2597	AT&T MOBILITY					
21-00782	07/06/21 BEACH	Open			323.82	
01241	BAIN'S HARDWARE, INC.					
21-00776	07/06/21 HARDWARE	Open			765.07	
2760	BATTALION 3 TECHNOLOGIES					
21-00805	07/07/21 FD SCHEDULING SOFTWARE	Open			1,680.00	
01957	BENEMAX BENEFIT MANAGEMENT CO.					
21-00785	07/07/21 HEALTH	Open			672.00	

REGULAR MEETING

JULY 20, 2021

01631	BOROUGH OF OCEANPORT		
21-00796	07/07/21 COURT	Open	6,500.00
01974	BOROUGH OF SEA BRIGHT COURT		
21-00813	07/08/21 COURT	Open	24.90
2751	BRICK GLASS		
21-00471	04/21/21 BLDGS & GRDS	Open	10,018.00
00530	BULLET LOCK & SAFE CO., INC.		
21-00706	06/09/21 STREETS- MATERIALS & SUPPLIES	Open	45.70
02115	C & L SWEEPER SERVICE		
21-00511	04/26/21 STREET SWEEPER	Open	3,375.00
2646	CAMPBELL SUPPLY CO.		
21-00626	05/27/21 Annual PM - 4390	Open	2,149.98
2680	CINTAS		
21-00628	05/27/21 BEACH- MATERIALS & SUPPLIES	Open	68.05
21-00630	05/27/21 BEACH- MATERIALS & SUPPLIES	Open	185.18
21-00631	05/27/21 BUILDINGS & GROUNDS- MAT & SUP	Open	129.10
21-00688	06/09/21 BEACH- MATERIALS & SUPPLIES	Open	329.23
21-00689	06/09/21 BLDGS. & GRDS.- MAT. & SUP.	Open	273.20
21-00708	06/09/21 BLDGS. & GRDS.-MAT. & SUP.	Open	132.70
21-00709	06/09/21 BEACH- MATERIALS & SUPPLIES	Open	152.34
21-00751	06/23/21 BUILDINGS & GRDS. MAT. & SUP.	Open	107.59
21-00760	06/23/21 BEACH-MATERIALS & SUPPLIES	Open	362.20
21-00761	06/23/21 B&G-MATERIALS & SUPPLIES	Open	229.63

			1,969.22
2555	CJM ASSOC. OF SEA BRIGHT		
21-00791	07/07/21 LEASE	Open	500.00
00256	CLEARY, GIACOBBE, ALFIERI &		
21-00873	07/14/21 LEGAL	Open	1,600.40
01801	COLLIER ENGINEERING & DESIGN		
21-00748	06/23/21 ENGINEER	Open	4,902.50
01493	COOPERATIVE INDUSTRIES, L.L.C.		
21-00877	07/14/21 NATURAL GAS	Open	454.62
02231	COUSINS LANDSCAPING		
21-00520	04/29/21 BLDGS. & GRDS.-MAINTENANCE OF	Open	13,225.00
2386	CRANEY INTERPRETING SERVICE		
21-00884	07/15/21 COURT	Open	220.00
2528	DCH FORD		
21-00687	06/09/21 STREETS- VEHICLE MAINTENANCE	Open	70.74
21-00710	06/09/21 STREETS- VEHICLE MAINTENANCE	Open	70.42
21-00713	06/09/21 POLICE: VEHICLE MAINTENANCE	Open	146.24

			287.40
2655	DE SESA ENGINEERING CO.		
21-00820	07/13/21 BLDs. & GRDS.-CONTRACTUAL	Open	765.00
2286	DIFRANCESCO, BATEMAN, KUNZMAN		
21-00888	07/15/21 LEGAL	Open	1,660.00
2461	DRUM POINT EXCAVATING		
21-00769	06/24/21 BUILDINGS & GRDS. - MAINT OF	Open	4,750.00
2632	EAI ACCESSORIES & INSTALLATION		
20-00771	07/01/20 POLICE	Open	14,598.22
2587	EASTERN JANITORIAL CO.		
21-00693	06/09/21 CONTRACTUAL	Open	1,208.00
21-00891	07/15/21 BLDGS & GRDS	Open	1,056.00

			2,264.00
2631	ECO-CLEAN		
21-00750	06/23/21 BLDGS. & GRDS- MAINT. OF B&G	Open	3,000.00
2713	FERNBRUCK, LLC		
20-01086	09/15/20 POLICE	Open	454.90
01817	FINEGAN, GEORGE		
21-00890	07/15/21 ANIMAL	Open	396.15
2757	FIRE AND SAFETY SERVICES		
21-00679	06/09/21 Annual Maintenance	Open	1,500.00
01720	FIREFIGHTER ONE, LLC		
21-00677	06/09/21 Repairs to SCBA	Open	94.00
21-00754	06/23/21 Repairs - 4377	Open	3,146.98

			3,240.98
2406	FP MAILING SOLUTIONS		
21-00781	07/06/21 POSTAGE	Open	386.19
02101	GANNETT NJ		
21-00778	07/06/21 CLERK	Open	99.00
21-00819	07/08/21 CLERK	Open	18.00

			117.00
02219	GOODYEAR AUTO CENTER		
21-00701	06/09/21 POLICE: VEHICLE MAINTENANCE	Open	435.36

REGULAR MEETING

JULY 20, 2021

02252	GRAINGER, INC.		
21-00702	06/09/21 FD Tools	Open	1,197.79
01887	HEIM ELECTRONICS, INC.		
21-00691	06/09/21 BUILDINGS & GROUNDS- CONTRCTL.	Open	351.75
2478	HOLISTIC WELLNESS, LLC		
21-00850	07/14/21 9 Week Yoga Program	Open	900.00
01838	HOLMAN, FRENIA, ALLISON, P.C.		
21-00788	07/07/21 AUDIT	Open	8,500.00
2710	HOLMDEL TOWNSHIP		
21-00789	07/07/21 FISCAL OFFICER	Open	3,312.50
2323	INTEGRATED SYSTEMS & SERVICES		
21-00444	04/15/21 BEACH- MAINTENANCE & REPAIR	Open	2,600.00
21-00867	07/14/21 B&G- MAINTENACE OF B&G	Open	338.00

			2,938.00
2297	INTEGRATED TECHNICAL SYSTEMS		
21-00846	07/13/21 PARKING	Open	1,080.00
2561	INTRON TECHNOLOGY SOLUTIONS		
21-00887	07/15/21 COMPUTERS	Open	9,517.08
01419	J. SWANTON FUEL OIL CO., INC.		
21-00777	07/06/21 FUEL	Open	272.75
21-00875	07/14/21 GASOLINE	Open	244.07

			516.82
2573	JCP & L		
21-00883	07/15/21 ELECTRIC	Open	5,926.74
2488	JERSEY SHORE POWERSPORTS		
21-00486	04/21/21 BEACH	Open	7,817.70
21-00487	04/21/21 BEACH	Open	15,537.95

			23,355.65
00297	JESSE A. HOWLAND & SONS, INC.		
21-00790	07/07/21 LEASE	Open	1,000.00
21-00792	07/07/21 LEASE	Open	1,705.00

			2,705.00
01784	JUNGLE LASERS, LLC		
21-00779	07/06/21 BLDG. DEPT.	Open	670.00
2759	KIEFER ACQUATICS		
21-00658	06/04/21 BEACH	Open	2,489.00
00015	LANIGAN ASSOCIATES, INC.		
21-00672	06/09/21 POLICE: MATERIALS AND SUPPLIES	Open	60.00
00108	LEON S. AVAKIAN, INC.		
20-01383	12/02/20 ENGINEER	Open	27,760.00
21-00746	06/23/21 ENGINEER	Open	3,757.50

			31,517.50
01603	M & N VENTURES, LLC		
21-00695	06/09/21 BEACH- MATERIALS & SUPPLIES	Open	33.72
21-00696	06/09/21 BEACH- MATERIALS & SUPPLIES	Open	98.64

			132.36
2729	MARELLI, SEAN		
21-00852	07/14/21	Open	197.94
2278	MCLAUGHLIN, STAUFFER & SHAKLEE		
21-00817	07/08/21 LEGAL	Open	7,375.02
00531	MIDDLESEX COUNTY FIRE ACADEMY		
21-00699	06/09/21 Live Burn Training	Open	361.00
00110	MONM CNTY REGIONAL HEALTH		
21-00812	07/08/21 HEALTH FEES	Open	15,341.53
00688	MONMOUTH COUNTY POLICE ACADEMY		
21-00700	06/09/21 POLICE: EDUCATION & TRAINING	Open	50.00
21-00810	07/07/21	Open	200.00

			250.00
02229	MONMOUTH COUNTY PUBLIC WORKS		
21-00678	06/09/21 Repairs 4385	Open	233.05
02045	MONMOUTH COUNTY SPCA		
21-00793	07/07/21 ANIMAL	Open	325.00
00441	MONMOUTH COUNTY TREASURER		
21-00705	06/09/21 STREETS- CONTRACTUAL	Open	8.81
01323	MONMOUTH COUNTY TREASURER		
21-00784	07/07/21 ELECTIONS	Open	108.10
00190	MUNICIPAL CLERKS ASSOC OF NJ		
21-00838	07/13/21 MCANJ Membership 2021/2022	Open	175.00
00283	MUNICIPAL EMERGENCY SERV, INC.		
21-00334	03/23/21 HURST TOOL MAINT.	Open	762.90
2440	NATIONAL CONSTRUCTION RENTAL		
21-00540	05/05/21 STREETS- MATERIALS & SUPPLIES	Open	1,114.92
21-00862	07/14/21 STREETS- CONTRACTUAL	Open	1,715.72

			2,830.64

REGULAR MEETING

JULY 20, 2021

01399	NEW JERSEY AMERICAN WATER		
21-00787	07/07/21 WATER	Open	2,657.60
00671	NJ DEPT OF COMMUNITY AFFAIRS		
21-00881	07/15/21 BLDG. DEPT	Open	1,688.00
00113	NJ NATURAL GAS COMPANY		
21-00876	07/14/21 NATURAL GAS	Open	933.71
01309	OCEANPORT BOARD OF EDUCATION		
21-00795	07/07/21 SCHOOL TAX	Open	136,789.00
00046	ONE CALL CONCEPTS, INC.		
21-00818	07/08/21 SEWER	Open	58.63
2290	PORZIO,BROMBERG & NEWMAN		
21-00880	07/15/21 LEGAL	Open	3,718.72
00164	RAIN, WILLIAM		
21-00749	06/23/21 INSURANCE	Open	144.60
2330	RAW POWER GENERATOR SERVICE		
21-00690	06/09/21 SEWER/B&G- CONTRACTUAL	Open	1,618.75
2728	READY REFRESH BY NESTLE		
21-00841	07/13/21 WATER	Open	615.91
2421	RED WING OF EATONTOWN		
21-00694	06/09/21 STREETS- CLOTHING/SHOES	Open	674.96
2745	REMINGTON & VERNICK ENGINEERS		
21-00400	04/01/21 SANITARY SEWER PROJECT	Open	1,212.00
01554	SEA BRIGHT SERVICE CENTER		
21-00756	06/23/21 REPAIRS 4366	Open	1,367.75
00053	SHORE REGIONAL HIGH SCHOOL		
21-00794	07/07/21 HIGH SCHOOL TAX	Open	497,249.00
00260	SODON'S ELECTRIC, INC.		
21-00861	07/14/21 BLDGS. & GRDS.-MAINT. OF B&G	Open	385.00
02225	STAPLES ADVANTAGE		
21-00673	06/09/21 POLICE: OFFICE SUPPLIES	Open	370.64
21-00798	07/07/21 Library Printer and Ink (2)	Open	734.55

			1,105.19
2585	STATE TOXICOLOGY LABORATORY		
21-00215	02/17/21 POLICE-OTHER PROFFESION SERVIC	Open	135.00
2535	SUBURBAN DISPOSAL, INC.		
21-00842	07/13/21 TRASH	Open	21,591.87
21-00843	07/13/21 DUMPSTERS	Open	1,344.76
21-00844	07/13/21 LANDFILL	Open	9,644.38

			32,581.01
00083	T & M ASSOCIATES		
21-00886	07/15/21 ENGINEER	Open	709.00
01285	THE HOME DEPOT		
21-00752	06/23/21 BLDGS. & GRDS. - JANITORIAL	Open	1,129.83
2438	THOMAS, SHAWN		
21-00762	06/23/21 TRAVEL REIMB.	Open	16.80
21-00763	06/23/21 TRAVEL REIMB.	Open	16.80

			33.60
00439	TREASURER, COUNTY OF MONMOUTH		
21-00814	07/08/21 TAX	Open	38,465.86
00223	TREASURER, COUNTY OF MONMOUTH		
21-00815	07/08/21 TAX	Open	524,028.56
00523	TREASURER, COUNTY OF MONMOUTH		
21-00816	07/08/21 TAX	Open	64,794.44
2658	VERIZON		
21-00780	07/06/21 SEWER	Open	525.41
2291	VERIZON		
21-00882	07/15/21 FIOS	Open	263.00
02061	VERIZON WIRELESS		
21-00878	07/14/21 CELL	Open	215.52
21-00879	07/14/21 FIRE	Open	536.22
21-00885	07/15/21 CELL	Open	2,855.89
21-00889	07/15/21 FIRE	Open	229.80

			3,837.43
01063	WEST MARINE		
21-00757	06/23/21 MARINE 43	Open	231.44
00077	WEX BANK		
21-00786	07/07/21 GASOLINE	Open	6,940.78
01671	WINNER FORD OF CHERRY HILL		
20-00770	07/01/20 POLICE	Open	31,944.00

Total: \$1,566,341.04

Manual Checks

21-00845	DAVID HODER ASSOCIATES	
7/13/2021	PLAN. BRD:ENGINEER REVIEW & INSPCTN/ESCROW ACCTS.	\$4,220.00
21-00872	EDGEWATER BEACH, INC.	\$12,602.90
7/14/2021	RELEASE OF ALL ESCROW	
21-00747	LEON S. AVAKIAN	\$755.00
6/23/2021	ENGINEER:PLOT PLANS/ESCROW ACCTS.	
21-00783	NJ DEPT. OF HEALTH	\$6.60
7/6/2021	MONTHLY DOG LICENSE REPORT - JUNE	
21-00771	RUTGERS UNIVERSITY	\$25.00
6/24/2021	FINANCE:RPPO CERTIFICATE	
	TOTAL:	\$17,609.50
	GRAND TOTAL:	\$1,583,950.54

MAYOR AND COUNCIL COMMITTEE COMMENTS

Councilman Birdsall thanked DPW for doing an outstanding job keeping the town clean.

Councilman Catalano reported that all beach operations are running smooth – the beach manager is preparing a financial update for August 1. The junior lifeguard program has begun and there are 120 junior guards – the final session will begin on Monday. So far everything has been very successful.

Councilman Lamia asked if we could get weeding done in the bump outs around town. There was a meeting a few weeks ago to create a tracking register so we can look at our punch list items in real time – still a work in progress. Councilman Lamia said he submitted some comments online to the NJ Bike and Walk coalition concerning bicycle safety and is hoping we will get some guidance from outside the community. He is open to ideas of what to display in the business kiosks since the current map we have in one is very outdated. A new railing was installed at the old Borough Hall and he welcomes any feedback and ideas for how to make use of the old Borough Hall.

Councilman Birdsall explained the New Jersey Bike and Walk Coalition is trying to pull together information to compile a 2050 long range transit plan. They are looking for input from communities on how to improve safety. Feel free to reach out and he will send you the information to submit comments.

Councilman Keeler wants to get a letter out to the residents on bicycle safety. Councilman Keeler reminded all that the bridge schedule is on demand Monday – Thursday and on the hour Friday – Sunday.

Mayor Kelly thanked all Borough departments for doing a great job and urged everyone to please keep an eye out regarding the school situation for updates.

EXECUTIVE SESSION

Executive session not held.

ADJOURNMENT

Councilmember Leckstein offered a motion to adjourn the meeting; seconded by Councilmember Birdsall:

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

Prepared by:

Christine Pfeiffer, Borough Clerk