

**MINUTES
WORKSHOP MEETING
BOROUGH OF SEA BRIGHT**

DECEMBER 15, 2021 (Wednesday)

SEA BRIGHT, NEW JERSEY

TO ATTEND THIS MEETING REMOTELY PLEASE USE THE FOLLOWING:

<https://global.gotomeeting.com/join/399207397>

OR DIAL: (646) 749-3335

Access Code: 399-207-397

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

Council President Leckstein read the following Compliance Statement:

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

Good Morning Ladies and Gentlemen. This Meeting Is Now Called to Order: In Line With The Borough Of Sea Bright's Longstanding Policy Of Open Government, And In Compliance With The "Open Public Meetings Act" I Wish To Advise You That Adequate Notice Of This Regularly Scheduled Meeting Was Sent to the Asbury Park Press and other local newspapers on January 4, 2021. In each instance, the Date, Time, And Location of This Meeting Were Provided in the Notice. This Meeting Is Open to The Public."

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

ABSENT: Mayor Brian P. Kelly

OTHERS: Administrator Joseph L. Verruni, Attorney Richard Shaklee, Engineer William White, Borough Clerk Christine Pfeiffer

REMARKS FROM THE AUDIENCE: (limited to 3 minutes)

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

No one wished to be heard.

ITEMS FOR DISCUSSION:

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

ACTION: Police Chief Friedman was unable to attend the meeting. Assistant Fire Chief Rivera reported the fire department had 382 calls for service this year and the department remains solid and status quo.

SUBJECT: Short Term Rentals and non-compliance with C.O. fines

ACTION: Administrator Verruni explained that the short-term rental issue has been on many meetings for discussion and he invited Code Enforcement Officer Tom Haege to join the meeting to present his thoughts and recommendations on the subject. Mr. Haege described how the current Certificate of Occupancy process works and how it could be set up for short term rentals. Mr. Haege would like an ordinance in place to set rules and guidelines for obtaining seasonal Cos, a registration process and to also increase violation fines and penalties for non-compliance. He will provide the Borough Clerk with bullet points of the key issues he would like to see included.

SUBJECT: Capital Projects Update

- Change Order No. 2 (\$18,450.00) 2020 Road Program

- Colliers' Proposal – Shrewsbury Riverfront Park – Phase 2 Improvements

ACTION: Administrator Verruni reported a change order was submitted by the Engineer for the 2020 road program for the backflow preventor and police overtime for traffic control however, we are still under budget for that project. Mr. Verruni also reported we received a proposal from Colliers for phase II of the Shrewsbury Riverfront Park project in the amount of \$11,560.00 and explained the majority of the cost is for the CAFRA permit to put up the gazebo. Concerning the viewing platform construction, Mr. Verruni explained we are only proceeding with the one on Center Street since the other street-end platforms may conflict with a potential riverfront development. Funds for the relining of the downtown sewer lines are in place and we have RFPs out to our consulting engineers to complete the bid specs. Mr. Verruni reported on his discussions with the property owners in north beach regarding the State easements for flood venting. Mr. Verruni provided an update on the issues with the concrete work around the firehouse – the cost of repairs will be about \$8,000 - \$9,000 – we are talking to the engineer and contractor for possible funding to resolve. Also, one of the bay doors in the firehouse needs to be replaced - it is a significant cost and unfortunately the warranty has expired. The claim has been sent to the JIF.

SUBJECT: Woody's – Purchase of Borough property for patio extension

ACTION: Attorney Shaklee explained that the ABC extended the premise of liquor license parameters to at least November 30th of 2022 so Council has some time to make a decision on this. However, Woody's still wants to purchase the eight-foot strip of property to expand the licensed premise on a more permanent basis and to make significant improvements. Councilman Leckstein and Councilman Booker do not want to sell Borough property. Mr. Verruni will ask our Tax Assessor Tim Anuso what the value of the property would be and will put together some numbers to show what a possible rental income would look like.

SUBJECT: Solid Waste and Disposal

ACTION: Mr. Verruni explained the path of least resistance to resolve the few problems that we have would be to limit the number of cans per business. Anything over the limit would be the responsibility of the business owner to pay for the additional waste directly to the vendor. Council agreed to allow either five 32-gallon cans or three 64-gallon cans. Mr. Verruni will speak to speak to Tom Haege regarding the code enforcement of storing the solid waste and recycling between pick-ups.

SUBJECT: Rental of Gym at 1167 Ocean Avenue for Boy Scout Event – Waive Fee

ACTION: Councilman Lamia would like to get the gym in old Borough Hall back in use. The Boy Scouts would like to use the space on April 8 & 9 and is requesting we waive any fees. Council agreed to waive all fees associated with this event and a resolution will be prepared for the December 21st meeting.

SUBJECT: 2022 Borough Fees

ACTION: Borough Clerk Christine Pfeiffer explained that at the reorganization meeting we approve the annual fee schedule and asked if anyone had any changes. Councilman Birdsall is concerned about the sidewalk café fees and requested that we deny the sidewalk café permit for Anjelica's for 2022 as there have been many complaints. Mr. Verruni will speak with Chief Friedman regarding the number of complaints and violations.

SUBJECT: Comcast Cable Franchise Renewal Ordinance

ACTION: Councilman Birdsall wants to make sure that something is included to ensure they remove any abandoned lines prior to installing anything new. This has become an issue with some poles behind the downtown businesses and none of the utilities want to take responsibility for cleaning up the old lines. Borough Engineer Bill White will submit a proposal to inspect and determine the owners of the poles in the downtown area. Councilman Leckstein reported on a recent mailing he received from Comcast with rate increase information he saw that some towns charge an additional franchise fee that goes back to residents. The Borough Attorney will look into that and contact Comcast about adding a clause to the ordinance about removing old cables no longer in use.

SUBJECT: Ordinance to Monitor Seismic Activity During Pile Driving

ACTION: Councilman Leckstein explained this was brought up by a resident in the downtown that was affected by pile driving and asked Council if this is something they want to move forward with – Council agreed. Attorney Shaklee will draft the ordinance for introduction in January.

SUBJECT: Light at Anchorage Park Crosswalk

ACTION: Councilman Birdsall explained that an overhead light was out and is now fixed however, it is still very dark at that crosswalk. Mr. Verruni would like to change the timing of the lighting for the Anchorage bathrooms facing in that direction to provide more illumination. Councilman Birdsall would like the lights on the Municipal Complex to stay on later as well to provide more light in the parking lot.

SUBJECT: Memorial Benches

ACTION: Mr. Verruni explained there is a supply chain problem with the memorial benches and there was a significant price increase. We were charging \$1,250 but now they are costing about \$1,750. We do not profit from the bench program but we need to cover our costs. There will be a resolution on the January 21st meeting to authorize the increase the price.

SUBJECT: Bids for Beach Businesses

ACTION: Councilman Leckstein explained that Melissa from Lucky Dog Surf Co. seemed to be confused on the bidding process – she thought that the bid amount was the total for the five-year contract. The Attorney will look into our options and Council agreed to take whatever action necessary to correct this according to statutory procedure.

SUBJECT: Resolutions

1. Authorizing the Placement of a Municipal Lien in the Amount of \$15,261.68 on the Property Located at 154 Ocean Avenue (Block 34, Lot 2)
2. Authorizing the Purchase of Police Firearms through State Contracts
3. Authorizing the Purchase of Two Vehicles through State Contracts for the Sea Bright Fire Dept.
4. Cancellation of Tax or Delinquent Amounts Less Than \$10.00 in the Borough of Sea Bright
5. Refund of 2021 Tax Overpayment - Block 10, Lot 18
6. Authorizing Hiring of Police Officers - Special Law Enforcement Officers - Class II
7. Authorizing Donation of Council Stipend to Senior Program (will be forthcoming)
8. Final Change Order No. 2 (Decrease) – 2017 and 2018 Roadway and Sewer Improvement Program and Posting of a Maintenance Bond Black Rock Enterprises, LLC

ACTION: The above resolutions will be prepared for the December 21st meeting for approval.

EXECUTIVE SESSION:

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

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

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

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

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

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

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

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

ADJOURNMENT:

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

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

Prepared by,

Christine Pfeiffer, Borough Clerk