

**MINUTES
WORKSHOP MEETING
BOROUGH OF SEA BRIGHT**

JANUARY 13, 2022 (Thursday) SEA BRIGHT, NEW JERSEY

TO ATTEND THIS MEETING REMOTELY PLEASE USE THE FOLLOWING:

<https://global.gotomeeting.com/join/138321237>

OR DIAL: (646) 749-3335

Access Code: 138-321-237

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

Mayor Kelly read the following Compliance Statement:

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

Good Morning Ladies and Gentlemen. This Meeting Is Now Called to Order: In Line With The Borough Of Sea Bright's Longstanding Policy Of Open Government, And In Compliance With The "Open Public Meetings Act" I Wish To Advise You That Adequate Notice Of This Regularly Scheduled Meeting Was Sent to the Asbury Park Press and other local newspapers on January 10, 2022. 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 Erwin Bieber, Kevin Birdsall, Jefferey M. Booker, Sr.,
Samuel A. Catalano, William J. Keeler, John M. Lamia, Jr.

OTHERS: Administrator Joseph L. Verruni, Attorney Richard Shaklee
Engineer Gregory Blash, 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.

Corey Wagner, Sea Bright Volleyball League, thanked Council for approving a five-year lease and proposed expanding the league participation by adding three additional volleyball courts. He explained registration sells out very quickly and it would be great if they can add more participants which would bring in more parking revenue for the town and more patronage to local businesses. Mr. Wagner provided a sketch with the proposed new layout. Chief Friedman recommended he speak with Beach Manager, Don Klein and Deputy Director of Public Works, Shawn Thomas for their input prior to Council making a decision.

Joe Dolce, Waterview Way, congratulated the newly appointed Councilman and thanked the all the Councilmembers for their hard work. Mr. Dolce explained that he owns and administers a short-term rental here in Sea Bright and feels that it is extremely beneficial to the town and urges Council to continue to work towards a solution to allow and regulate short-term rentals. Administrator Verruni said that we would forward him the draft ordinance for his input.

ITEMS FOR DISCUSSION:

SUBJECT: Woody's

ACTION: Jennifer Krimko, Attorney with Ansell Grimm & Aaron, P.C. representing Woody's, explained that a request was made to purchase a portion of the lot that the Borough owns in front of the restaurant. Ms. Krimko further explained that during covid Woody's leased eight parking spaces along Ocean Avenue in front of the restaurant for \$8,000 a season to pay for the anticipated revenue from paid parking. The ABC extended their expansion of outdoor liquor license regulations through November 2022 which allowed them to set up tables and provide service throughout the entirety of the parking lot. Ms. Krimko is asking that Woody's be able to purchase the small piece of property adjacent to his building which would include aesthetic upgrades (provided a sketch with the area highlighted) and would leave an adequate aisle for cars to back out and travel through the parking lot. She also explained that in order to operate the liquor license on that piece of land they would need to own it – leasing it is not an option. Councilman Bieber asked for confirmation that the liquor license cannot be extended with a lease. Council discussed how a price would be determined. Attorney Shaklee requested a statute confirming the limitation on a liquor license expanding onto leased property. Ms. Krimko will gather additional information and reach back out to Attorney Shaklee.

SUBJECT: Capital Projects Update

ACTION: Mr. Verruni reported the beach pavilion project has been completed, the bonding company has finished their punch list and now it becomes officially ours. The budget for ongoing maintenance for both buildings will be discussed at the budget hearings on February 2. Regarding the municipal complex, Attorney Shaklee has been working with the newly appointed architect to review the deficiencies in the building – he has submitted a draft report – once finalized the mediation process can begin.

We are also currently working with the JIF to get the bay garage door in the firehouse fixed – once approved, there is a six to eight month lead time for the parts. Mr. Verruni reported the Borough is appealing the State's decision to hold off on the installation of backflow preventors in north beach – he has been trying to schedule a meeting but it has been difficult due to covid. Councilman Birdsall summarized the current issues with the property owners and easement proposal from the NJDOT. We are getting proposals from our engineers for the relining of the sewer lines in the downtown. The Rumson/Sea Bright force main which broke a few years and was fixed but during the repairs it was discovered that we need perform additional repairs to sewer lines. Councilman Birdsall explained we are also trying to get six check valves replaced in the downtown and plans to discuss the financing at the upcoming budget meeting. Councilman Keeler asked where we stand with the correcting the concrete walkway issues around the firehouse – Mr. Verruni will follow up with the engineer. Councilman Bieber asked if there could be any culpability to the property owner for building over the pipe – Mr. Verruni will ask the Attorney to look into it.

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

ACTION: Fire Chief Murphy reported 493 calls for service in 2021 and had an average response time of 4.5 minutes. In 2021, the FD offered 570 hours of training and had about 50,000 total man hours in the firehouse. Chief Murphy reported they are looking to acquire an army vehicle from Deal which should be transferred to Sea Bright in the upcoming week which will assist in flood evacuations. The plan is to have the County transfer the evacuation box from our current truck to the new one and then auction off the old vehicle. Mayor Kelly congratulated the department on all their achievements in 2021. Police Chief Friedman reported they have a couple ongoing investigations and there has been an increase of car thefts in the area. The body cameras went into service beginning January 1st. Captain Arias has started working on paid parking for the upcoming season – kiosks, passes, fees, etc. – it is a process. Chief Friedman also reported that during the recent snowstorm the PD did not ticket anyone that didn't move their cars or shovel their sidewalks as it was a small snow event. The Chief said the department has issued several tickets to Anjelica's for their violations in the alleyway – he feels they are taking advantage of the Borough's allowance of using the sidewalk. Deputy Director of Public Works, Shawn Thomas, asked Council if we plan to rent the lot on Church Street for employee parking this year as there is a cost associated with renting a fence that he will need to include in his budget – Mr. Verruni anticipates that we will be renting the lot again this year and advised Mr. Thomas to budget for the fencing.

SUBJECT: Short Term Rentals

ACTION: Mr. Verruni explained that Code Enforcement Officer, Tom Haege, provided a sample ordinance for short term rentals and included a \$300 annual fee recommendation. Councilman Birdsall would like the fees to be seasonal not annual. Councilman Bieber believes short term rentals are a good asset to the town but it is critical to have proper enforcement in place. Mr. Verruni said a lower permit fee wouldn't deter people from applying and a higher penalty fee would encourage them to apply. Councilman Catalano explained that many surrounding towns have night stay minimums and maybe that is something we should be looking into. This discussion will be carried to the next workshop meeting for further consideration.

SUBJECT: Beach Cabanas

ACTION: Mr. Verruni explained that we have been looking into this for quite some time and asked Council if this is something they are still interested in. Long Branch brings in significant revenue and we see the potential as well but we need to obtain a CAFRA permit to get utilities to the cabanas. CAFRA bases their permit fee on the size of the overall lot – the beach is a 17 acre piece of property and the fee would be exorbitant. Borough Engineer Gregory Blash recommends subdividing the beach and only obtain a permit for the area where the cabanas would be located. We have conduits already built into the seawall for the water and electric. This would be an initial expense and we would need to go out to bid for a project of this size as it exceeds our bidding limits. Council would like to assess the financial aspect to see if it makes sense prior to making a decision. Mr. Verruni will prepare a spreadsheet of all the costs involved.

SUBJECT: Comcast Cable Franchise Ordinance

ACTION: Mr. Verruni explained that Comcast provided us an ordinance for our 10-year cable franchise renewal. Attorney Shaklee reviewed the ordinance and said he included Councilman Birdsall's recommendation to add a section about removing abandoned wires. Councilman Bieber questioned the 3.5% rate and the amount we typically get paid – Borough Clerk Christine Pfeiffer explained we receive a check for about \$20,000 annually. Attorney Shaklee said that when Council is satisfied with the ordinance, he will submit to Comcast with our proposed edits. Council would like the Administrator to set up a face-to-face meeting with representatives from the utility companies to clean up the abandoned wires throughout town.

SUBJECT: Shared Service with Oceanport – Municipal Court Services

ACTION: Mr. Verruni explained that our contract with Oceanport for court services expires at the end of February. We have considered other nearby towns as options but there is no interest at this time. Mr. Verruni and Councilman Keeler recommend executing a one-year contract amendment with Oceanport as everything has been running smoothly – Council agreed and there will a resolution prepared for the January 18th meeting.

SUBJECT: Center Street – Viewing Platform Bids

ACTION: Borough Clerk Christine Pfeiffer stated that bids were received for the construction of a viewing platform on Center Street ranging from \$31,000 - \$75,000. Engineer William White reviewed the bids and recommended the lowest bidder, Vulcan Construction Group, Inc. Councilman Keeler would like the JIF to review the plans for safety. The Clerk will send the bid to the Attorney for review, when authorized, a resolution will be prepared for the January 18th meeting.

SUBJECT: Floodplain Management Ordinance

ACTION: Mr. Verruni explained that our current zoning permit application including FEMA’s requirements is 1-page and now FEMA is requiring a 40-page application – which includes anything that requires a zoning permit. We will have to adopt a new ordinance to include the new requirements by June 15, 2022.

At the suggestion of Councilman Keeler, Administrator Verruni asked Council if they would like a proclamation to honor former First Aid Captain Dave Estelle at Tuesday night’s meeting for his many years of service as Captain.

EXECUTIVE SESSION:

Councilmember Catalano offered the following resolution and moved its adoption; seconded 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:

- Resolution to discuss:**
1. Litigation (Beach Club Tax Appeals)
 2. Personnel

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:	Bieber,	Birdsall,	Booker,	Catalano,	Keeler,	Lamia
	Yes	Yes	Yes	Yes	Yes	Yes

ADJOURNMENT:

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

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

Respectfully Submitted,

Christine Pfeiffer
Borough Clerk