

**MINUTES
WORKSHOP MEETING
BOROUGH OF SEA BRIGHT**

FEBRUARY 10, 2022 (Thursday)

SEA BRIGHT, NEW JERSEY

TO ATTEND THIS MEETING REMOTELY PLEASE USE THE FOLLOWING:

<https://meet.goto.com/384412013>

OR DIAL: (646) 749-3335

Access Code: 384-412-013

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 Roger McLaughlin
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.

Robert Duran, Ocean Avenue, reminded Council he spoke to them last year regarding opening up a mobile coffee shop since Dunkin Donuts has closed. He distributed images of proposed coffee bar trailers and trucks as options and asked the Council to consider allowing for this type of business.

Steven Maynard, Rumson, commented that cannabis retail sales will begin March 15th and asked Council to consider allowing for this type of business in the Borough – although he cannot disclose the location, he has a spot should we allow. Mr. Maynard explained his business plan and how the town would gain significant revenue. Mr. Maynard received a report from the Eatontown Police Department that shows there is no increase in crime with the addition of cannabis sales and urged Council to reconsider adopting an ordinance allowing for the sale of cannabis.

ITEMS FOR DISCUSSION:

SUBJECT: CME Engineer – Bulkhead Repair Ordinance

ACTION: Administrator Verruni reported the Borough has been approached by a number of residents asking for an extension of time to repair/replace their bulkheads per the notice they received from CME Engineers who conducted the bulkhead study. Due to the high cost of materials and slow permitting process, many feel the timeframe is not reasonable. Mr. Verruni invited CME Engineer Trevor Taylor to attend the meeting to discuss a realistic timeframe for requiring the repairs. Mr. Taylor said letters were sent to 25 property owners with damaged bulkheads and requested the property owner contact them with a "repair plan" and have only heard back from about half of the property owners. Mr. Taylor believes it will likely take about 4-6 months to obtain a permit from the DEP but only half of the damaged bulkheads would require one. Attorney McLaughlin asked what a reasonable amount of time would be to come up with a corrective plan – Engineer Taylor said the thought 60-90 days but twice that due to the supply chain issues with obtaining steel – Council agreed that the timeline should start when the notices are/were sent out. Councilman Bieber questioned what the average cost of a bulkhead would be and if Mr. Taylor is aware of any other town going through a similar study. He responded that timber would be cheaper but steel is about \$500 to \$1,200 a foot and Barnegat Township is also reviewing the bulkheads throughout their town. Attorney McLaughlin recommended changing the ordinance to extend the timeframe – this will give Council sometime to decide if they want to do a "restart" with the timeline. Councilman Bieber said we have to be ready to enforce this once we make these changes and Councilman Booker said we have to be ready to repair the Borough owned bulkheads at the same time. Councilman Booker also recommended making any grant or assistant programs available to the property owners. Mayor Kelly recommends disseminating this information in the next letter to residents. Attorney McLaughlin explained how an assessment bond would work to fund the repair all the bulkheads (private and public) in the Borough for Council's consideration.

SUBJECT: Short-Term Rentals (Tom Haege)

ACTION: Code Enforcement Officer, Tom Haege, joined the meeting and reviewed the short-term rental ordinance template he sent to Council. Councilman Birdsall commented on a number of points including what the term of a short-term rental should be – less than 30 days to 1 day and said a list of occupants should be required for all rentals. Councilman Bieber said we have to be

clear on the number of night minimum that we allow for the shortest term of a rental and how do we enforce this. Mr. Haege explained that we can easily document all the required information into our system. Councilman Bieber would like to avoid nightly rentals which would be difficult to enforce – the goal is to protect the residents and ensure safety for all involved. The Code Enforcement Committee will meet and put together a recommendation for Council.

SUBJECT: Capital Projects Update

ACTION: Mr. Verruni reported our projects are winding down and has nothing new to report at this time.

Mayor Kelly stated our flags are flying at half-mast to honor the Navy Seal (and his father who is a Sea Bright resident) who died during training last week.

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

ACTION: Chief Friedman reported last year the department had 4,933 calls for services. He is working with Lifeguard Captain Mike Hudson to put together a CPR class for all police, fire and first aid personnel. There will be a driver training for the ambulances, so we have more people to drive them. He had a meeting with Councilman Booker regarding the fireworks and it is looking pretty good – nothing official yet as we still have a lot of things to go over – the Borough cost would be approximately \$15,000.00 which mostly pays for the outside agencies who will need to be onsite but will also cover overtime for our DPW and PD. The Chief reported the department has started getting ready for the parking season - ordering permits and new signage. Finally, the Chief said we have two officers in the Academy right now.

Fire Chief Murphy reported 33 calls for service in the month of January. They are in the process of doing their annual mandatory training which is provided by PEOSHA. Last year they discussed the donation of 2 beach badges for their raffle fundraiser and asked Council if they can formalize that donation through resolution – Council agreed and a resolution will be prepared for the February 15th meeting agenda.

Councilman Birdsall stated that we are moving forward with replacing the check valves downtown – we have 5 stormwater valves that will be replaced in the next month or so.

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

ACTION: Attorney McLaughlin explained that Woody's asked to purchase a portion of land in front of the restaurant and asked Council how they would like to proceed. Mr. Verruni recommended that the land acquisition be discussed in closed session.

SUBJECT: Electric Vehicle Ordinance

ACTION: Attorney McLaughlin explained that he forwarded the Council a model ordinance provided by the State for electronic vehicles but does not recommend that the Governing Body take any formal action at this time as he believes there will be changes in the regulation at least in the first year or so. This ordinance makes electric vehicle charging stations a permitted use everywhere and new developments will be mandated to have a certain percentage of electric parking spaces. Mayor Kelly explained he was in a meeting with Congressman Pallone's office and they were discussing how there was previously funding for electronic charging stations and is interested if there will be any offered in the future.

SUBJECT: Comcast Cable Franchise Ord Update

ACTION: Administrator Verruni explained that Attorney Shaklee submitted some changes to Comcast to include a section in the ordinance requiring Comcast be responsible for removing any nonfunctioning wires. We are waiting for a response from Comcast.

SUBJECT: 1084 Ocean Avenue – authorize demo

ACTION: Attorney McLaughlin stated we are in the process of getting quotes for the demolition, when received he will have a recommendation for Council. The property owner has an application in before the Planning Board but they have been putting it off for about two years. Councilman Bieber explained that after postponing seven times, this is their last chance with the Planning Board.

SUBJECT: Municipal Tax Map Program – Monmouth County Shared Service

ACTION: Mr. Verruni explained that Tax Assessor Tim Anfuso is supportive of the shared serviced with Monmouth County. Although, initially there would be no cost to the Borough, CFO Mike Bascom did not believe that this would be beneficial program to us. Mr. Verruni will reach out to Mr. Bascom and evaluate the costs and make a recommendation.

SUBJECT: Farmer's Market

ACTION: Councilman Birdsall explained that this came up in the last Green Team meeting. The big issue is taking up parking spaces and he recommends moving the market to the basketball court with a minimal amount of vendors. Another concern is to find someone to organize it. Councilman Birdsall will have someone reach out to Monmouth Beach to see how they manage theirs since they seem to have a successful market.

SUBJECT: Lights on Basketball Court

ACTION: Councilman Birdsall said the basketball court is getting used later at night and the lights shut off at 10:00pm and he would like to extend that until 11:00pm or midnight. It would cost about \$4,000 to install floodlights.

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Mr. Verruni stated that Councilman Catalano has also been looking into fencing around the court so it can be used for pickleball which would cost about \$16,000. Mr. Verruni will talk to CFO Mike Bascom regarding budgeting/funding for the court and added that Councilman Lamia has also been looking into adding pickleball courts lines on the floor in the rec center.

SUBJECT: Beach Badge Donation Request from Holiday Express
ACTION: Council agreed and a resolution will be prepared for the February 15th meeting agenda authorizing the donation request.

SUBJECT: Rental of Rec Center/Gym
ACTION: Mr. Verruni explained that we need to come up with guidelines for renting the rec center/gym as well as for the 3rd floor of the beach pavilion. He asked Council for their thoughts on whether to charge a rental fee to nonprofits as there is a cost associated with Public Works setting up and cleaning up. Someone will need to be onsite to unlock and lock up the rooms as well. Councilman Bieber wants to encourage groups to meet in the rec center and Councilman Booker wants to make sure we look into the best practices regarding hold harmless agreements and insurance. Councilman Bieber feels we need to encourage activity in the rec center and it is much simpler to maintain. Mr. Verruni will put some cost data and regulations together for Council’s review.

Marc Leckstein, Sea Bright, called in to comment on the farmers’ market. Mr. Leckstein said he does not believe that the town would be losing parking revenue as the lot is not that crowded on Thursday afternoons. Councilman Birdsall explained it was more of a logistics issue and problematic for the Police Department to get cars out of that area for the market without roping it off all day. Mr. Leckstein explained that it is very difficult to get vendors and they want to be in a visible location and feels the basketball court is too far from the street. Councilman Birdsall stated that our number one concern is finding someone to manage the market.

SUBJECT: Resolutions
1. Borough of Sea Bright Certification of Compliance with The United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of The Civil Rights Act of 1964”
2. Authorizing Sewerage Rates and Charges for First, Second, Third and Fourth Quarters of 2022
3. Authorizing Hiring of Police Officer Designation of Special Law Enforcement Officer - Class I
4. Sustainable Land Use Pledge of The Borough of Sea Bright
5. Tax Court Judgement Refund Edgewater Beach Inc. Block 4, Lot 6
6. Budget – Appropriation Reserve Transfers
ACTION: The above resolutions will be prepared for the February 15th meeting for approval.

FYI
1. May Day Symposium
2. Municipal office and County Committee Petitions are available – due date is April 4 @ 4 pm.

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. Personnel and 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: 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