

**MINUTES
WORKSHOP MEETING
BOROUGH OF SEA BRIGHT**

MARCH 10, 2022 (Thursday)

SEA BRIGHT, NEW JERSEY

TO ATTEND THIS MEETING REMOTELY PLEASE USE THE FOLLOWING:

<https://meet.goto.com/113340277>

OR DIAL: (646) 749-3335

Access Code: 113-340-277

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.

Joe Torri, Yolks on You, asked Council for permission to move the bench in front of his restaurant to accommodate the tables for his sidewalk café permit – Administrator Verruni asked for a diagram of the set up and said he would follow up with Mr. Torri.

ITEMS FOR DISCUSSION:

SUBJECT: Capital Projects Update

ACTION: Administrator Verruni reported he, Councilman Birdsall and Borough Engineer Greg Blash met with the Commissioner of Transportation regarding the six inline check valves project along Ocean Avenue in both north and south Sea Bright. The State initiated the project to fix the flooding issues however some residents objected to the construction as it would require a large easement on certain properties. After the meeting, the State agreed to reconsider the project to see if the pipes can be relined instead of replaced. Councilman Birdsall stated we will continue to work with the State and homeowners to get this flooding issue resolved. Borough Engineer Gregory Blash offered to meet with the homeowners to explore options. Mr. Verruni explained that we will be going out to bid for check valves in the downtown which should be completed by the end of the summer. Other ongoing projects are the transportation trust fund projects and establishing recycling pick up restrictions. Council agreed that we should continue to pick up recycling for the businesses but with the same limitations as garbage pick-up. Mr. Verruni will generate a letter and distribute it in person to the businesses in the downtown.

SUBJECT: Public Safety Update (Chiefs of Police and Fire)
- Parking Ordinance Amendment Update
- Fireman's Fair

ACTION: Police Chief Friedman reported that he had a meeting with our Prosecutor last week and he provided recommendations for the parking ordinance which he would like to discuss further, including fines, in executive session. There will be a \$125 increase for the permit parking tickets in the downtown which was approved by Judge Thornton. The Chief said the department has been a little lax over the past two years because of the outdoor dining on Ocean Avenue but this year he anticipates stronger enforcement. Chief Friedman said we are continuing to move forward with the 4th of July fireworks and reported the SPCA has been in town trapping cats. Fire Department Chief Murphy reported there were 35 calls for service and stated the department has been completing PEOSHA training. There are still significant repairs needed for the ladder truck which he mentioned late last year but they are waiting for the budget to be adopted before moving forward. Regarding the Fireman's Fair, Councilman Birdsall explained that the issue is that Public Works needs to get the parking lot ready for Memorial Day Weekend. Shawn Thomas, Deputy Director of Public Works, listed all the preparations that need to get done and said it is all about timing and weather – that being said, they will get it done as they have in the past. Steven Spahr explained he will try and plan for it earlier next year and will get some Fire Department members to assist in getting the lot ready after the fair. Councilman Booker recommended, and Council agreed to permit the fair if Mr. Spahr and DPW can work out a plan.

SUBJECT: Cannabis (Nick Frangipane)

ACTION: Mayor Kelly explained that last year the State authorized retail sales of cannabis giving each municipality the option to permit or prohibit the sales. Sea Bright chose to opt out of the sales temporarily to see how the State rolled out their regulations. Nick Frangipane, 1136 Ocean Avenue/Owner of Melonhead, explained along with his consultants that they have extensive knowledge and experience with the cannabis industry and explained why it would be beneficial to the community. Consultant Tenisha Victor explained her background and work experience in the cannabis industry. Ms. Victor explained how a licensed cannabis store would operate and summarized the strict security measures that would be in place. All purchases are packed in a back room in a sealed package and taken to the front and handed to the customer and then led out by security. Ms. Victor also mentioned the 2% green tax that the Borough will receive and as an example reported Woodbridge is receiving about \$20,000 per quarter for the medical cannabis sales in their town. Councilman Booker and Bieber asked for their projected revenues in their business model should they open a store in Sea Bright. Council thanked the group for their informative presentation.

SUBJECT: Bulkhead Ordinance Amendment

ACTION: Mayor Kelly stated that we have been working with the Attorney to amend the bulkhead ordinance to extend the timeframes for improvements, renovations, and replacements. Attorney Shaklee explained that the amendment to the ordinance relates to the timeframes for completion of bulkhead repair work due to cost and supply chain issues – everything else remains the same. Councilman Birdsall stated we are adjusting this ordinance to provide a more realistic timeframe for our residents to accomplish the improvements. Borough Engineer Gregory Blash was asked if an assessment district would be a viable option for repairing the bulkheads and he said it would allow the Borough to control the repair process rather than leaving it up to the homeowners and the cost could be charged back to the homeowner over a five to ten year period. For now, Council agreed to amend the ordinance, extending the timeframes which will be prepared for introduction at the March 15th meeting.

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

ACTION: Discussion carried to closed session.

SUBJECT: Street Sweeping Shared Service with Borough of Highlands / Bids for other services

ACTION: Mayor Kelly stated that DPW has been working with the Borough of Highlands to enter into a shared service agreement for street sweeping services. Deputy Director of Public Works, Shawn Thomas, explained we will be receiving the same service that we had with C&L Sweeper but at a lower cost. Councilman Bieber questioned if we will be receiving the same quality of service and Mr. Thomas believes that it will better – we have used them in the past and they also have newer better operating machines.

SUBJECT: 2022 Sidewalk Café Permits

ACTION: Mayor Kelly explained that this is not about dining in the parking spaces on Ocean Avenue – this is about our usual sidewalk café permits. Mr. Verruni explained that we must ensure they are adhering to their submitted diagram and are ADA compliant, leaving a 4-foot-wide space to walk through.

SUBJECT: Imbrie Place Bulkhead

ACTION: Mayor Kelly explained there are two issues with the Imbrie Place bulkhead – it is in need of repair which is the Borough's responsibility. In addition, Councilman Lamia explained that the Navesink Marina is having issues with a sandbar just south of the Marina which prevents boats from using those slips except for at high tide.. Councilman Lamia said the Marina owners are willing to dredge the area but cannot do anything without finding out who the owner is of that area of the river. Chuck McQuillan, owner of Navesink Marina, explained that after Sandy the County was dumping sand from the street into the river which created this sand bar – it must be high tide for a boat to get in and out of there. Mr. Verruni asked Engineer Gregory Blash to research the riparian rights and what would be required on the Borough's part.

SUBJECT: Gigi's – Winery Outlet/Salesroom Application

ACTION: Mayor Kelly explained that Gigi's does not have a liquor license but is looking to serve and sell wine from a New Jersey winery. The application has been approved by the State Division of Alcohol and Beverage Control and they are just making us aware as we are not involved in the application and approval process. Mr. Verruni explained that you must purchase an entire bottle for consumption on or off premise. Councilman Bieber explained that it gives the patrons of Gigi's an opportunity to purchase wine.

SUBJECT: Fall 2022 to Spring 2023 – Potential Beach Replenishment

ACTION: Mr. Verruni explained the Army Corp has received federal funding for another beach replenishment and they are going to begin surveying beaches from Sandy Hook to Barnegat Bay to evaluate where sand is most needed. Mr. Verruni added they might be a potential for local share funding but it is too early to tell.

SUBJECT: Resolutions

1. Authorizing 2022 Junior Lifeguard Program
2. Beach Badge Donation
3. Authorizing a Shared Services Agreement with the Borough of Highlands for 2022 Ocean Rescue Lifeguard Services (Pending)

- 4. Accept the Performance Guarantee(s) for Block 15, Lot 3 – 1080 Ocean Avenue Break Real Estate Partners LLC
- 5. Change Order #1, Decrease Contract amount by \$38,488.17 - Sanitary Sewer Lateral Improvements Located on Route 36 (by Donovan’s Reef) - Lima Charlie Construction
- 6. Authorizing Requests for Proposals – Tax Appeal and Assessment Services

ACTION: The above resolutions will be prepared for the March 15th meeting for approval.

Councilman Bieber thanked the Borough Clerk and other staff members for going down to the old Borough Hall and dispositioning the remainder of the boxes in the gym so the floors can get sanded to be used for recreational activities. Councilman Bieber provided an update from the administration and shared service committee meeting to ensure their goals align with the rest of the Governing Body.

Terry Kaye, resident of Sea Bright, thanked the Public Works Department for elevating the quality of life in Sea Bright – she emailed Dave and Shawn when a bench was broken and the next morning it was fixed - she truly appreciates their work in town.

EXECUTIVE SESSION:

Councilmember Birdsall offered the following resolution and moved its adoption; seconded by Councilmember Bieber:

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

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

Respectfully Submitted,

Christine Pfeiffer
Borough Clerk