

**MINUTES  
WORKSHOP MEETING  
BOROUGH OF SEA BRIGHT**

**JULY 14, 2022 (Thursday)**

**SEA BRIGHT, NEW JERSEY**

**TO ATTEND THIS MEETING REMOTELY PLEASE USE THE FOLLOWING:**

<https://meet.goto.com/132828165>

OR DIAL: (224) 501-3412

Access Code: 132-828-165

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

**Council President Keeler** 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:** Councilmember's Erwin Bieber, Kevin Birdsall, Jefferey M. Booker, Sr., William J. Keeler, John M. Lamia, Jr.

**ABSENT:** Mayor Brian P. Kelly, Councilmember Samuel A. Catalano

**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.

Nick Frangipane, 1136 Ocean Avenue, asked the Council to provide an update on cannabis. Councilman Bieber explained that the committee met and is still working through the logistics and are considering taking this to a referendum instead of just letting it be a Council vote. Mr. Frangipane questioned if the Council has or is willing to meet privately with interested parties. Councilman Birdsall responded that 2 groups (including Mr. Frangipane) have come in and presented their case. Councilman Bieber wants to ensure full transparency and recommends reaching out to the cannabis committee directly.

**ITEMS FOR DISCUSSION:**

**SUBJECT:** Capital Projects Update

**ACTION:** Mr. Verruni stated that we are still in the process of completing the concrete work in front of the Beach Pavilion and Municipal Complex. The sprinkler system was installed for the new landscaping by Woody's and the Director of Public Works Dave Bahrle and Frank Lawrence have been educated on how to work the system. We are also working on getting additional quotes for new railings at the old Borough Hall.

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

**ACTION:** Chief Friedman stated that fireworks went well and everyone did a great job – thank you to the Council for their support. There have been about 1,200 tickets issued so far this year. Captain Arias reported that we have collected about \$350,000 in parking revenue this year which is about \$70,000 more than this time last year. He reported numerous arrests and the Department has been busy with a lot of special duty work going on in town - NJNG just started a gas line replacement project by the Highlands Bridge. Administrator Verruni ask Chief Friedman to explain regulations regarding cannabis. Chief Friedman explained that smoking marijuana has to be a second offense – the law does not allow for it to be the first offense. The Police Department's hands are tied and they could be liable for improperly charging someone for smoking marijuana. Councilman Booker explained from the public policy perspective of when the legislation was put into place, the intention was to reduce the targeting certain segments of society and this legislation was put into place to make it harder for those in authority to do that. Councilman Booker asked the Chief if he has heard of increased problems in towns that currently has dispensaries – the Chief said he has not.

Fire Department Chief Murphy reported 55 calls for service in June which brings the total calls for service to 232 for the year. The department now has 25 certified swift water rescue members and the department had training sessions with Tesla on electric cars fires – the electric vehicle batteries are becoming an issue and require very specific fire techniques. He thanked everyone involved in getting the approvals to have training at the old Dunkin Donuts prior to its demolition. As of today, the department has had a total of 1,500 hours of training for the year. The Chief said he is working with OEM as they have been chosen as the pilot department for the entire state to start typing their flood rescue resources so the state can develop a database. Finally, he reported the vehicle maintenance is the highest he has seen since 2008 – it will be about \$53,000 for repairs this year.

Councilman Bieber asked the Chiefs if there were any shark issues to report – both said nothing at this time.

**SUBJECT:** Bike Lane in the Downtown area (G. Blash)

**ACTION:** Borough Engineer Greg Blash explained that the Council had asked him to do a bike lane study and he provided a preliminary map of the downtown area and where a potential bike lane could be. Mr. Blash said this plan will need to coordinate with the bridge project and the repaving of Route 36. Councilman Bieber requested a comprehensive safety analysis and Mr. Blash explained he is exploring all options to ensure safety – throughout the town, especially in the north section of Ocean Avenue. Mr. Blash said in order to move forward he would have to do an actual field dimensional plan to show Council and the NJDOT for approval. Councilman Bieber asked for a comprehensive safety analysis of the plan.

**SUBJECT:** Solid Waste Contract extension

**ACTION:** Administrator Verruni stated that our initial 3-year solid waste contract is up in October but the contract allows for two one-year extensions. Mr. Verruni feels it would be in the best interest to extend for one-year as we currently have our price locked in. Council agreed – a resolution will be prepared for the July 19<sup>th</sup> meeting. Councilman Birdsall requested that Director of Public Works Dave Bahrle provide an update at the next workshop meeting on the newly enforced commercial garbage regulations.

**SUBJECT:** Easement Agreement for Access and Right of Way from crosswalks to splash pad along Ocean Avenue

**ACTION:** Attorney Richard Shaklee stated that he sent over a draft easement agreement to get some comments and wanted to make sure the insurance agent finds it acceptable – we are still awaiting comment. Councilman Keeler said he presented it to the property owner who asked if we can have a 5 year easement to make sure it works – Attorney Shaklee will take a closer look at including an easement expiration to the terms. Councilman Keeler said he is awaiting a formal response from the JIF.

**SUBJECT:** Beach Replenishment Payments

**ACTION:** Mr. Verruni explained that we received our bill for the last beach replenishment for about \$1.5 million – typically, the County will pay a percentage of that. In 2019, we sent the County a request and we have not heard from them. The County engineer is looking into it and if they pay their share (\$636,000) we would owe \$955,000. CFO Michael Bascom put together a bond that would pay our share which will be forthcoming. Yesterday, we received a letter from the State to see if we would be interested in another beach replenishment project in Spring of 2023 for the southern part of town. Councilman Bieber would like to see a cost estimate before we move forward. Mr. Verruni will provide additional cost information to the Council prior to a final decision being made. Councilman Bieber asked if we are allowed to move the sand at all – particularly in the northern area of Tradewinds/southern part of the Village – the engineer will find out what is involved in getting a permit to scrape the sand. In addition, Councilman Bieber asked if the Borough is liable if anyone is injured falling off the cliffs of sand – the Administrator will speak with our Risk Manager to go over liability concerns and invite someone from the NJDEP Office of Coastal Engineering to attend a workshop

Borough Engineer Gregory Blash reported that he was advised by Public Works that there are some loose boards at the Anchorage Beach handicap ramp and a support column is compromised. He came up with a temporary solution to support the boards but it definitely needs to be permanently fixed after the summer. The showers are located on the boardwalk and water running all day has deteriorated the wood.

**SUBJECT:** Resolutions

1. Authorizing Sale of Borough Surplus Property No Longer Needed for Public Use on an Online Auction Website
2. Hiring Seasonal Borough Employees
3. Grace Period Extension for Payment of 3<sup>rd</sup> Quarter 2022 Taxes
4. Authorizing Grant Application to NJDOT for Fiscal Year 2023
5. Authorizing Display of Fireworks at Sands Beach Club- August 23, 2022
6. Authorizing the Cancellation of the Unexpended Balance of Various Ordinances
7. Authorizing the Hiring of Deputy Director of Public Works
8. Liquor License Renewal

**ACTION:** The above resolutions with the addition of a resolution establishing a cannabis committee will be prepared for the July 19<sup>th</sup> meeting for approval.

Councilman Birdsall questioned if we ever received anything regarding the MadHatter liquor license renewal. Mr. Verruni explained that Attorney Roger McLaughlin reached out to the EDA requesting an in-person meeting to resolve an outstanding lien but does not believe we have received any updates on the liquor license. Borough Clerk Christine Pfeiffer stated that we cannot renew their license until they receive a 12.39 special ruling from the State. Councilman Bieber summarized the current status, the NJ Superior Court ruled in favor of the Borough having control of the property; we are in the process of working with the EDA (lien holder) to determine if there is something that can be done to bring the outstanding liability to a point where we could find a buyer; and, renewing the liquor license in the town's name so it can be transferred to a buyer of the property - all in a timely manner. Councilman Booker has some contacts to the EDA if needed.

**EXECUTIVE SESSION:**

Councilmember Booker offered a motion to enter in to Closed Session; second 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. Contract Negotiations

**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 Absent Yes Yes

**ADJOURNMENT:**

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

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

Respectfully submitted,

Christine Pfeiffer  
Borough Clerk