

**MINUTES
REGULAR MEETING
BOROUGH OF SEA BRIGHT**

FEBRUARY 7, 2023

SEA BRIGHT, NEW JERSEY

TO ATTEND THIS MEETING REMOTELY PLEASE USE THE FOLLOWING:

<https://meet.goto.com/872335397>

OR DIAL: (408) 650-3123

Access Code: 872-335-397

Mayor Kelly called the meeting to order at 7:00 p.m. and requested those present to join in the Pledge of Allegiance.

Mayor Kelly read the following Compliance Statement:

Good Evening 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, 2023. 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
Councilmembers, Erwin Bieber, Jefferey M. Booker Sr., Samuel A. Catalano,
Heather Gorman, William J. Keeler, John M. Lamia, Jr.

OTHERS: Attorney Richard Shaklee, Administrator Joseph Verruni,
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.

Tom Largey, 1 Beachway, gave Council pictures and explained that his street had flooding from the approximate 100 yards of beach along the end of Beach Way. His home did not flood because he built a berm around it but did lose a car. Mr. Largey asked Council if the Borough is looking into berming that beach to protect their street. Mr. Verruni stated that we are looking into some resiliency options and grant funding to help with the cost of installation of bulkheads in high flooding areas and will speak with our Borough Engineer to see what our options are. Councilman Booker said the Borough has retained a grant writer to identify sources of funds for resiliency. Mr. Largey said just placing some dirt around would help the problem.

CONSENT AGENDA

Councilmember Booker offered a motion to approve the items that are considered routine in nature under the consent agenda; seconded by Councilmember Bieber:

Minutes

01-07-2023	Reorganization Meeting
01-12-2023	Workshop Meeting
01-12-2023	Executive Session
01-17-2023	Regular Meeting

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

Resolutions:

No. 43-2023 Authorizes the County of Monmouth Mosquito Control Division to Conduct Aerial Mosquito Control Operations within the Borough of Sea Bright

Councilmember Booker introduced and offered for adoption the following Resolution; seconded by Councilmember Bieber:

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the County; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the County of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area," the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Borough of Sea Bright is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, does hereby authorize the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:

- a. the County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies, and
- b. such operations will be performed in compliance with applicable Federal and State regulations, and
- c. the County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

BE IT FURTHER RESOLVED that a copy of this resolution, certified to be a true copy, be forwarded to the following:

- 1. Monmouth County Mosquito Extermination Commission
- 2. Chief of Police
- 3. Director of Public Works

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

No. 44-2023 Authorizing Submittal of an Application for FEMA Assistance to Firefighters Grant

Councilmember Booker introduced and offered for adoption the following Resolution; seconded by Councilmember Bieber:

WHEREAS, the Federal Emergency Management Agency (FEMA) provides aid to local firefighters and first responders through its Assistance to Firefighters Grant (AFG) Program to enhance the safety of the public and firefighters by providing direct financial assistance to obtain critically needed equipment, protective gear, emergency vehicles, training and other resources required to protect the public and emergency personnel from fire and related hazards; and

WHEREAS, the Sea Bright Fire Department is seeking such assistance to purchase twenty (20) sets of personal protective equipment for new members serving our community; and

WHEREAS, the Sea Bright Fire Department is eligible and desires to apply for \$80,000.00 in Assistance to Firefighters grant funds for the purpose stated herein; and

WHEREAS, the Borough of Sea Bright Fire Department is prepared to provide the required 5% local share of \$4,000.00 should an application be successful; and

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds will be available in the 2023 budget under Fire Department Line Item #3-01-25-265-230 for the required 5% matching portion in the amount of \$4,000.00.



MICHAEL J. BASCOM, CFO

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, does hereby authorize the Borough of Sea Bright Fire Department Chief to prepare and submit said Grant application to fund the purchase of twenty (20) sets of personal protection equipment for new members and further authorizes the Mayor and Borough Clerk to execute any documents related to such application; and

BE IT FURTHER RESOLUTION, the Borough Council authorizes payment of the local share of \$4,000.00 should the application be approved; and

BE IT FURTHER RESOLVED. that a certified copy of this Resolution be forwarded to the following:

- 1. C. Murphy, Fire Chief
- 2. CFO
- 3. Finance Manager

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

No. 45-2023 Hiring Volunteer Firefighters Borough of Sea Bright Fire Department

Councilmember Booker offered the following resolution for approval; seconded by Councilmember Bieber:

WHEREAS, Chapter 20, Section 20.4 of the General Code, Fire Department membership requires any person desiring membership in a volunteer fire department, shall complete an application; may be required to have a pre-appointment physical by a physician; and the Borough Council shall order a criminal background check to be conducted by the Chief of Police; and

WHEREAS, the Fire Department received applications from the following individuals, all pre-appointment requirements have been met and the Fire Chief recommends they be hired to serve as a volunteer firefighters in the Sea Bright Fire/Rescue Department:

Full Membership

Christopher Hurley

Seasonal Membership

Dylan Drahos

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, does hereby accept and approve appointing the above-named individuals to serve as members in the Sea Bright Fire Department; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to send a certified copy of this resolution to the following:

- 1. Sea Bright Fire Chief
- 2. Individual Members

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

ORDINANCE(s):

Public Hearing: Mayor Kelly to read the ordinance by title:

ORDINANCE NO. 01-2023

CALENDAR YEAR 2023

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Councilmember Booker offered a motion to open the public hearing on Ordinance No. 01-2023; seconded by Councilmember Keeler:

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

Public Hearing (Ord. No. 01-2023)

Councilman Booker explained that this ordinance is a mechanism that allow us to establish a bank as a cushion in the budget for projects and increased flexibility.

Councilmember Keeler offered a motion to close the public hearing on Ordinance No. 01-2023; seconded by Councilmember Booker:

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

Councilmember Bieber offered a motion to adopt Ordinance No. 01-2023 and advertise according to law; seconded by Councilmember Booker:

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

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

REGULAR MEETING

FEBRUARY 7, 2023

02101	GANNETT NJ NEWSPAPERS		
23-00100	01/30/23 CLERK	Open	18.48
01549	GENERAL CODE, LLC		
23-00073	01/12/23 Clerks Manual Update	Open	49.00
02219	GOODYEAR AUTO CENTER		
23-00067	01/12/23	Open	758.28
2710	HOLMDEL TOWNSHIP		
23-00125	02/02/23 FISCAL	Open	6,827.84
2561	INTRON TECHNOLOGY SOLUTIONS		
22-01231	11/04/22 POLICE: MATERIALS & SUPPLIES	Open	1,889.00
23-00128	02/02/23 COMPUTERS	Open	16,490.31

			18,379.31
2573	JCP & L		
23-00126	02/02/23 ELECTRIC	Open	16,118.60
00297	JESSE A. HOWLAND & SONS, INC.		
23-00123	02/02/23 LEASE	Open	1,705.00
00028	JNM HOLDINGS, INC.		
23-00127	02/02/23 PARKING	Open	67,546.63
00108	LEON S. AVAKIAN, INC.		
23-00116	02/01/23 ENGINEER	Open	7,135.00
23-00131	02/03/23 PLANNER	Open	697.50

			7,832.50
01603	M AND N VENTURES		
23-00064	01/12/23 Nameplate - Gorman	Open	17.25
23-00079	01/24/23 PLAN.BRD	Open	17.25

			34.50
00531	MIDDLESEX COUNTY FIRE ACADEMY		
23-00063	01/12/23 Live Burn 11.6.22	Open	361.00
02229	MONMOUTH COUNTY PUBLIC WORKS		
23-00059	01/12/23 Repairs - 4390	Open	2,770.49
23-00060	01/12/23 Repairs - 4386	Open	4,056.09

			6,826.58
02045	MONMOUTH COUNTY SPCA		
23-00121	02/02/23 ANIMAL	Open	325.00
00188	MONMOUTH/OCEAN TCTA		
23-00106	01/31/23 TAX	Open	80.00
00189	MUNICIPAL CLERKS ASSN/MONMOUTH		
23-00094	01/27/23 2023 Membership Dues	Open	150.00
01399	NEW JERSEY AMERICAN WATER		
23-00108	01/31/23 WATER	Open	4,791.80
00012	NJ ASSOCIATION OF PLANNING &		
23-00080	01/24/23 PLAN.BRD.	Open	49.50
00131	NJ CONFERENCE OF MAYORS		
23-00070	01/12/23 2023 Membership Dues	Open	295.00
00671	NJ DEPT OF COMMUNITY AFFAIRS		
23-00103	01/30/23 BLDG DEPT.	Open	670.00
00113	NJ NATURAL GAS COMPANY		
23-00102	01/30/23 GAS	Open	4,195.73
00502	NJ STATE LEAGUE/MUNICIPALITIES		
23-00071	01/12/23 2023 Membership Dues	Open	301.00
01309	OCEANPORT BOARD OF EDUCATION		
22-00760	06/28/22 SCHOOL TAX	Open	116,523.42
00046	ONE CALL CONCEPTS, INC.		
23-00129	02/02/23 SEWER	Open	31.46
01662	OTC BRANDS, INC		
22-01061	09/20/22 RECREATION	Open	471.95
2525	POOR JOHNS PORTABLE TOILETS		
23-00085	01/27/23 Beach	Open	366.00
2290	PORZIO, BROMBERG & NEWMAN		
23-00115	02/01/23 LEGAL	Open	4,312.00
00071	R.R. DONNELLEY		
22-01132	10/07/22 CLERK	Open	142.00
00164	RAIN, WILLIAM		
23-00104	01/30/23 HEALTH	Open	322.20
01554	SEA BRIGHT SERVICE CENTER		
23-00074	01/12/23	Open	2,517.66
00053	SHORE REGIONAL HIGH SCHOOL		
22-00758	06/28/22 SCHOOL TAX	Open	181,370.18

REGULAR MEETING**FEBRUARY 7, 2023**

00260	SODON'S ELECTRIC, INC.		
23-00068	01/12/23 Streets & Roads	Open	807.44
02225	STAPLES ADVANTAGE		
23-00036	01/11/23 OFFICE	Open	511.94
00223	TREASURER, COUNTY OF MONMOUTH		
23-00117	02/02/23 COUNTY TAX	Open	542,477.71
00439	TREASURER, COUNTY OF MONMOUTH		
23-00118	02/02/23 LIBRARY TAX	Open	40,802.23
00523	TREASURER, COUNTY OF MONMOUTH		
23-00119	02/02/23 OPEN SPACE TAX	Open	70,275.71
2859	TROPOLI LAW FIRM		
23-00114	02/01/23 LEGAL	Open	525.00
2658	VERIZON		
23-00132	02/03/23 PHONE	Open	75.48
2291	VERIZON		
23-00133	02/03/23 FIOS	Open	88.99
02061	VERIZON WIRELESS		
23-00110	01/31/23 CELLS	Open	1,640.64
23-00111	01/31/23 CELLS	Open	187.33
23-00130	02/02/23 FIRE	Open	268.08

			2,096.05
01791	VERRUNI, JOSEPH		
23-00078	01/24/23 A&E	Open	76.01

TOTAL: \$ 1,134,310.65**Manual Checks**

23-00107	NJ DEPT. OF ENVIRONMENTAL PROTECTION	\$200.00
1/31/2023	SEWER:2023 PHYSICAL CONNECTION FEE PERMIT	
23-00112	NJ DEPT OF HEALTH	\$31.80
2/1/2023	JANUARY DOG LICENSE REPORT & FEES	

**TOTAL: \$ 231.80
00****GRAND TOTAL: \$ 1,134,542.45****MAYOR AND COUNCIL COMMENTS**

Mayor Kelly stated that on our next workshop agenda the Governing Body will have an opportunity to layout and summarize their committee goals for the year. The Mayor said we are still working on the school regionalization and are waiting to see how Atlantic Highlands votes on Thursday.

Councilman Bieber provided an update on short term rentals – really good progress so far year to date. In total they have identified and notified 42 short term rental properties and 21 have already registered. The registration process includes a \$500 fee and obtaining a certificate of occupancy. Tom Haege and Karen DiBerardino have been doing a fantastic job. Airbnb and VRBO will be notifying the properties that are registered from Sea Bright that they will begin collecting the municipal tax. By mid March anyone who is advertising a rental but isn't registered will get a final written notice before getting fined. Our goal is to get all 42 short term rentals registered and we are off to a very good start and appreciates everyone's support.

Councilman Keeler stated that Resolution No. 44-2023 allows us to apply for FEMA assistance for our Fire Department to get additional turn out gear for future members. We also hired 2 new members by way of Resolution No. 43-2023 bringing the total number of Fire Department volunteers to 52 and by the summer we should have 60 members. We received notice from the municipal court Division Administrator that our Court will be having their annual review and they wanted to know if anyone on Council has recommendations or suggestions on how they can improve the operation. Councilman Keeler also reported the JIF will be conducting a review of municipal insurance in New Jersey on February 13th at 10:00 am for municipalities to see what kind of future premiums we can expect in 2024. We received a letter from the DOT outlining their plans to improve pedestrian walkways across Ocean Avenue which will be included on the upcoming workshop agenda. He also stated that JCP&L came through town today and lifted the low hanging wires in north beach. Councilman Keeler also reported he contacted Joe Ettore at the County to restripe the lines on the bridge as there was almost a collision due to the faded lines.

Councilman Booker explained that we now have the services of a grant writer with the technology to find the Borough specific grants. Regarding the budget, Councilman Booker said we are in the process of working on the priorities and guidelines for the 2023 budget and is looking forward to the Budget workshop.

Councilman Lamia stated that he conducted an inventory of all the streetlights in town and there are about 20 lights right now that need to be fixed. He is working with the Chief to figure out the best way to get them reported and repaired. Councilman Lamia reported he has a meeting tomorrow with Administrator Verruni and the Department of Public Works to go over some goals and objectives to make improvements to the town.

Councilwoman Gorman stated that she is working to optimize communications in Sea Bright and will work with all the departments to update their part to make sure we are getting the right information out to our residents using every vehicle possible.

Mayor Kelly stated that we had another successful Polar Plunge this weekend and Chief Friedman added that the entire town was packed and it was great for our businesses.

EXECUTIVE SESSION

Councilmember Booker offered a motion to enter in to Closed Session; seconded by Councilmember Keeler:

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. 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, Booker, Catalano, Gorman, Keeler, Lamia
Yes Yes Yes Yes Yes Yes

ADJOURNMENT

Councilmember Keeler offered a motion to adjourn the meeting; seconded by Councilmember Bieber:

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

Respectfully Submitted,

Christine Pfeiffer
Borough Clerk