

**AGENDA  
REGULAR MEETING  
BOROUGH OF SEA BRIGHT**

**JANUARY 17, 2023**

**SEA BRIGHT, NEW JERSEY**

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

<https://meet.goto.com/995546093>

OR DIAL: (571) 317-3122

Access Code: 995-546-093

**CALL MEETING TO ORDER: 7:00pm**

**PLEDGE OF ALLEGIANCE**

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

**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."**

**ROLL CALL:**

<b>Councilmember(s)</b>	BIEBER ____	BOOKER ____	CATALANO ____
	GORMAN ____	KEELER ____	LAMIA ____
<b>Mayor</b>	KELLY ____		

**MOMENT OF SILENCE FOR THE FOLLOWING MEMBER OF THE SEA BRIGHT COMMUNITY WHO RECENTLY PASSED AWAY: Patrick Brian George**

**PRESENTATION of CERTIFICATE OF APPRECIATION - Patrol Officer Sean Marelli**

**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.

**CONSENT AGENDA**

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

**Minutes**

12-15-2022 Workshop Meeting  
12-15-2022 Executive Meeting  
12-20-2022 Regular Meeting

**Resolutions:**

**No. 40-2023** Adopting Technology Risk Management Standards in Compliance with the New Jersey Municipal Excess Liability Joint Insurance Fund's Cyber Risk Management Plan's Tier One, Two And Three Requirements

**No. 41-2023** Donation of 2023 Beach Badges

**No. 42-2023** Authorizing Requests for Proposals for a Potential Re-Development of Block 19, Lot 3 (10 East Ocean Avenue) within the Borough of Sea Bright

**Roll Call:** Bieber\_\_\_ Booker\_\_\_ Catalano\_\_\_ Gorman\_\_\_ Keeler\_\_\_ Lamia\_\_\_

**ORDINANCE(s):**

**Introduction:** 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 \_\_\_\_\_ offered a motion to introduce Ordinance No. 01-2023 for a public hearing to be held on February 7, 2023 and advertise according to law; seconded by Councilmember \_\_\_\_\_

**Roll Call:** Bieber\_\_\_ Booker\_\_\_ Catalano\_\_\_ Gorman\_\_\_ Keeler\_\_\_ Lamia\_\_\_

**INDIVIDUAL ACTION/New Business:**

**Vouchers: \$ 571,885.49**

Councilmember \_\_\_\_\_ offered a motion to approve the Voucher List dated January 17, 2023 as submitted by the Finance Manager; seconded by Councilmember \_\_\_\_\_

**Roll Call:** Bieber\_\_\_ Booker\_\_\_ Catalano\_\_\_ Gorman\_\_\_ Keeler\_\_\_ Lamia\_\_\_

**MAYOR AND COUNCIL COMMENTS**

**EXECUTIVE SESSION**

Councilmember \_\_\_\_\_ offered a motion to enter in to Closed Session; seconded by Councilmember \_\_\_\_\_

**Resolution to discuss: TBD**

**Roll Call:** Bieber\_\_\_ Booker\_\_\_ Catalano\_\_\_ Gorman\_\_\_ Keeler\_\_\_ Lamia\_\_\_

**ADJOURNMENT**

Councilmember \_\_\_\_\_ offered a motion to adjourn the meeting; seconded by Councilmember \_\_\_\_\_

**Roll Call:** Bieber\_\_\_ Booker\_\_\_ Catalano\_\_\_ Gorman\_\_\_ Keeler\_\_\_ Lamia\_\_\_

**RESOLUTION NO. 40-2023**  
**ADOPTING TECHNOLOGY RISK MANAGEMENT STANDARDS**  
**IN COMPLIANCE WITH THE NEW JERSEY MUNICIPAL EXCESS LIABILITY**  
**JOINT INSURANCE FUND'S CYBER RISK**  
**MANAGEMENT PLAN'S TIER ONE, TWO AND THREE REQUIREMENTS**

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

**WHEREAS**, the Borough of Sea Bright is a member of the Monmouth Joint Insurance Fund which secures Insurance protection through the New Jersey Municipal Excess Liability Joint Insurance Fund (NJ MEL); and

**WHEREAS**, through its membership in the Monmouth Joint Insurance Fund, the Borough of Sea Bright has cyber liability insurance coverage to protect the Borough from the potential devastating costs associated with a cyber related claim; and

**WHEREAS**, in an attempt to prevent as many cyber related claims as possible, the NJ MEL developed and released to its members the NJ MEL Cyber Risk Management Plan; and

**WHEREAS**, the NJ MEL Cyber Risk Management Plan outlines a set of best practices and standards broken out into Tier 1, Tier 2, and Tier 3 standards that if adopted and followed will reduce many of the risks associated with the use of technology by the Borough of Sea Bright; and

**WHEREAS**, the Borough of Sea Bright adopted an Information Technology Policy and Cyber Incident Response Plan and received approval from the MEL JIF for compliance with Tier 1, 2, and Tier 3 standards; and

**WHEREAS**, the MEL JIF has updated its requirements for Tier 1, 2 and 3 compliance and the Borough in response has implemented changes to address and comply with the latest Tier 1, 2 and 3 standards which will enable Borough of Sea Bright to claim a reimbursement of a paid insurance deductible in the event the member files a claim against the Borough of Sea Bright's cyber insurance policy;

**NOW THEREFORE BE IT RESOLVED**, that the Borough of Sea Bright does hereby adopt the following additional best practices and standards in accordance with Tier 1, 2 and 3 of the NJ MEL Cyber Risk Management Plan:

*Network Segmentation*  
*Remote Access/Multifactor Authentication for VPN*  
*Password Integrity*  
*System & Event Logging*  
***3rd Party Risk Management***

**BE IT FURTHER RESOLVED**, that a copy of this resolution along with all required checklists and correspondence be provided to the NJ MEL Underwriter for their consideration and approval.

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

January 17, 2023

**CERTIFICATION**

I, Christine Pfeiffer, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on January 17, 2023.

\_\_\_\_\_  
Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 41-2023**  
**DONATION OF 2023 BEACH BADGES**  
**BOROUGH OF SEA BRIGHT**

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

**WHEREAS**, the Governing Body of the Borough of Sea Bright wish to support the fundraising efforts for the local organizations listed below by donating six (6) 2023 beach badges as requested:

- |    |  |                 |
|----|--|-----------------|
| 1. | Bayshore Middle School PTO<br>Gift Auction – May 5, 2023         | <b>2 Badges</b> |
| 2. | Bayview PTA<br>Gift Auction – March 4, 2023                      | <b>2 Badges</b> |
| 3. | Middletown High School North<br>Gift Auction – February 17, 2023 | <b>2 Badges</b> |

**WHEREAS**, the Borough Auditor has been informed and advised that a resolution should be considered in order to donate 2023 Season Beach Badges.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey authorize the donation of six (6) 2023 Season Beach Badges to the aforementioned charitable organizations; and

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

1. Borough Administrator
2. Borough Auditor
3. Individual Requestors

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

January 17, 2023

**CERTIFICATION**

I, Christine Pfeiffer, do hereby certify that the foregoing is a resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council Meeting held on January 17, 2023.

\_\_\_\_\_  
Christine Pfeiffer, Borough Clerk

**RESOLUTION NO. 42-2023**  
**AUTHORIZING REQUESTS FOR PROPOSALS**  
**FOR A POTENTIAL RE-DEVELOPMENT OF BLOCK 19, LOT 3,**  
**10 EAST OCEAN AVENUE, WITHIN THE BOROUGH OF SEA BRIGHT**

Councilmember            Introduced and offered for adoption the following resolution;  
seconded by Councilmember            :

**WHEREAS**, in August, 2016, Kelly Management Group, L.L.C., the owner of premises known and designated on the tax map as Lot 3 in Block 19 and commonly known as 10 East Ocean Avenue in the Borough of Sea Bright received site plan and variance approval from the Unified Planning Board for the demolition of the existing structure and the reconstruction of a new elevated restaurant with various other improvements; and

**WHEREAS**, although the Developer began construction of the project, construction activity ceased leaving the condition of the property both unsightly and potentially dangerous; and

**WHEREAS**, despite multiple requests and notices to do so, the property owner has failed and refused to correct the imminent hazards; and

**WHEREAS**, in connection therewith, by way of Resolution No. 56-2021 approved on February 16, 2021, the Borough Council declared the property known as 10 East Ocean Avenue (Block 19, Lot 3), an "abandoned property" and authorized the Public Officer to designate the property as such as set forth in N.J.S.A. 55:19-81 and add to the Borough's abandoned property list; and

**WHEREAS**, the Borough Council now desires to obtain Requests for Proposals for potential re-development concepts of this parcel.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that it does hereby authorize the Borough Administrator, Borough Attorney and Borough Clerk to prepare a Request for Proposals seeking concepts for the potential re-development of the property known as Block 19, Lot 3 (10 East Ocean Avenue) as shown on the tax map of the Borough of Sea Bright and advertise according to the specifications on file.

**WHEREAS**, specifications for the aforesaid items will be on file in the Borough Clerk's Office and will be available for inspection.

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

1. Borough Attorney
2. Planning Board Secretary
3. Property Owner's Attorney

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

January 17, 2023

**CERTIFICATION**

I, Christine Pfeiffer, do hereby certify that the foregoing is a Resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey at a Council meeting held on January 17, 2023.

\_\_\_\_\_  
Christine Pfeiffer, Borough Clerk

**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)**

**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,

**WHEREAS**, the Borough Council of the Borough of Sea Bright in the County of Monmouth finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$55,139.16 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Sea Bright, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Borough of Sea Bright shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$192,987.06. and that the CY 2023 municipal budget for the Borough of Sea Bright be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

INTRODUCED: January 17, 2023

PUBLIC HEARING: February 7, 2023

ADOPTION:

**I HEREBY CERTIFY** this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Sea Bright, introduced on January 17, 2023 and will be further considered after a Public Hearing held on February 7, 2023 at the regular council meeting at 7:00 P.M in the Mayor Dina Long Community Room at 1097 Ocean Avenue. Remote meeting access information is available on the Borough website: [www.seabrightnj.org](http://www.seabrightnj.org).

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Christine Pfeiffer  
Clerk, Borough of Sea Bright

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Brian P. Kelly  
Mayor, Borough of Sea Bright

**VOUCHER LIST  
JANUARY 17, 2023  
BOROUGH OF SEA BRIGHT**

2771	AFFORDABLE HOUSING ALLIANCE		
23-00029	01/11/23 AFFORDABLE HOUSING	Open	10,000.00
00757	ARIAS, JOHN		
23-00047	01/12/23 POLICE	Open	1,275.00
2597	AT&T MOBILITY		
23-00053	01/12/23 BEACH	Open	775.06
01241	BAIN'S HARDWARE, INC.		
23-00020	01/10/23 HARDWARE	Open	197.85
01957	BENEMAX BENEFIT MANAGEMENT CO.		
23-00015	01/10/23 HEALTH	Open	348.00
01443	BENNETT, ERICH		
23-00048	01/12/23 POLICE	Open	1,275.00
2402	BHMG CORPORATE CARE		
22-01350	12/14/22 POLICE: OTHER PROFESSIONAL SER	Open	365.00
01631	BOROUGH OF OCEANPORT		
23-00028	01/10/23 COURT	Open	6,500.00
01974	BOROUGH OF SEA BRIGHT COURT		
23-00009	01/06/23 COURT	Open	163.90
2555	CJM ASSOC. OF SEA BRIGHT		
23-00027	01/10/23 LEASE	Open	500.00
00256	CLEARY, GIACOBBE, ALFIERI &		
23-00041	01/12/23 LEGAL	Open	2,308.50
01493	COOPERATIVE INDUSTRIES, L.L.C.		
23-00033	01/11/23 NTRL GAS	Open	975.42
02253	DAVID HODER ASSOCIATES		
23-00005	01/06/23 ENGINEER	Open	1,470.00
01754	EDMUNDS & ASSOCIATES, INC.		
23-00032	01/11/23	Open	13,828.72
01068	EDWARD J. ALBERT & SON, INC.		
22-01396	12/20/22 Sewer Department	Open	540.00
22-01397	12/20/22 Sewer Department	Open	527.50
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			1,067.50
02168	EVOQUA WATER TECHNOLOGIES, LLC		
22-01191	10/27/22 Sewer	Open	22.64
00506	FARMER, JANE		
22-00602	05/23/22 Reimburse Jane for Website	Open	218.00
01720	FIREFIGHTER ONE, LLC		
22-00988	08/29/22 FIRE DEPT.	Open	13,980.64
22-01345	12/14/22 SCBA Repairs	Open	311.92
22-01353	12/14/22 Emergency Repairs - 4377	Open	1,850.68
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			16,143.24
00575	GALLS, LLC		
21-00360	03/23/21 EMO	Open	302.94
2763	GANDOLFO, ANTHONY		
21-00804	07/07/21 TRAINING REIMB.	Open	114.04

02101	GANNETT NJ NEWSPAPERS		
	23-00006 01/06/23 CLERK	Open	15.84
	23-00018 01/10/23 LEGAL ADS	Open	194.28
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			210.12
00979	GIBBONS, P.C.		
	23-00042 01/12/23 LEGAL	Open	475.00
02219	GOODYEAR AUTO CENTER		
	22-01347 12/14/22	Open	125.16
00314	GPANJ		
	23-00030 01/11/23 FINANCE	Open	100.00
2562	HARD ROCK HOTEL & CASINO		
	23-00072 01/12/23 Clerk Conf. Room - Pfeiffer	Open	121.00
2588	HOAGLAND, LONGO, MORAN, DUNST		
	23-00039 01/12/23 PROSECUTOR	Open	5,250.00
02044	HOLDEN, ESQ., ROBERT J.		
	23-00040 01/12/23 PUBLIC DEF	Open	3,025.00
2710	HOLMDEL TOWNSHIP		
	23-00025 01/10/23 FISCAL OFFICER	Open	3,312.50
2791	HUDSON ENERGY SERVICES		
	23-00034 01/11/23 ELECTRIC	Open	399.08
01248	HUEGEL, RICHARD		
	23-00049 01/12/23 POLICE	Open	1,275.00
2592	INSTITUTE FORENSIC PSYCHOLOGY		
	22-01348 12/14/22	Open	1,425.00
	22-01398 12/20/22	Open	2,250.00
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			3,675.00
2297	INTEGRATED TECHNICAL SYSTEMS		
	23-00038 01/11/23 PARKING	Open	540.00
2573	JCP & L		
	22-01292 11/29/22 ELECTRIC	Open	7,258.30
	23-00035 01/11/23 ELECTRIC	Open	14,555.01
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			21,813.31
00297	JESSE A. HOWLAND & SONS, INC.		
	23-00026 01/10/23 DPW	Open	1,705.00
01784	JUNGLE LASERS, LLC		
	22-01393 12/20/22 BLDG DEPT	Open	190.00
	23-00031 01/11/23 ANNUAL FEES	Open	900.00
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			1,090.00
02110	KLEIN, DON		
	23-00001 01/06/23 PUBLIC EVENTS	Open	639.12
	23-00002 01/06/23 BEACH	Open	1,780.00
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			2,419.12
00108	LEON S. AVAKIAN, INC.		
	23-00010 01/06/23 ENGINEER	Open	697.50
	23-00043 01/12/23 ENGINEER	Open	11,537.50
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			12,235.00
2729	MARELLI, SEAN		
	23-00050 01/12/23 POLICE	Open	1,275.00
2417	MARLIN BUSINESS BANK		
	23-00023 01/10/23 LEASE	Open	120.10
2278	MCLAUGHLIN, STAUFFER & SHAKLEE		
	23-00007 01/06/23 LEGAL	Open	8,407.09



00106	MGL FORMS-SYSTEMS, LLC		
23-00014	01/10/23 TAX	Open	1,268.00
2838	MOBILE PAYMENT PROCESSING SYS		
23-00017	01/10/23 PARKING	Open	29.50
00688	MONMOUTH COUNTY POLICE ACADEMY		
22-01394	12/20/22	Open	50.00
02045	MONMOUTH COUNTY SPCA		
23-00024	01/10/23 ANIMAL	Open	325.00
00190	MUNICIPAL CLERKS ASSOC OF NJ		
23-00069	01/12/23 Clerks Conference	Open	680.00
01399	NEW JERSEY AMERICAN WATER		
23-00008	01/06/23 WATER	Open	4,976.07
00113	NJ NATURAL GAS COMPANY		
23-00013	01/10/23 NTRL GAS	Open	2,925.21
2865	O'BRIEN, KRISTIN		
22-01205	11/01/22 PUBLIC EVENTS	Open	300.00
01309	OCEANPORT BOARD OF EDUCATION		
22-00760	06/28/22 SCHOOL TAX	Open	73,450.92
00046	ONE CALL CONCEPTS, INC.		
23-00003	01/06/23 SEWER	Open	27.27
2659	PIENCIAK, DANIEL		
22-01229	11/04/22	Open	600.00
2728	READY REFRESH BY NESTLE		
23-00055	01/12/23 SPRING WATER	Open	602.85
2745	REMINGTON & VERNICK ENGINEERS		
22-00904	08/11/22 ENGINEER	Open	3,427.50
2618	RIVISTAS SUBSCRIPTION SERVICE		
22-01221	11/04/22	Open	1,601.90
01554	SEA BRIGHT SERVICE CENTER		
22-01346	12/14/22 Tahoe Repairs	Open	452.25
22-01349	12/14/22 POLICE: VEHICLE MAINTENANCE	Open	794.94
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			1,247.19
00027	SEABOARD WELDING SUPPLY, INC.		
23-00019	01/10/23 DPW	Open	18.50
01027	SHORE BUSINESS SOLUTIONS		
23-00044	01/12/23 POLICE	Open	171.00
23-00045	01/12/23 A&E	Open	241.59
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			412.59
00053	SHORE REGIONAL HIGH SCHOOL		
22-00758	06/28/22 SCHOOL TAX	Open	192,309.50
02225	STAPLES ADVANTAGE		
22-01302	11/30/22 Office Supplies	Open	351.58
2535	SUBURBAN DISPOSAL, INC.		
23-00011	01/10/23 TRASH	Open	22,052.91
23-00012	01/10/23 TIPPING	Open	8,574.55
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			30,627.46
2349	TAYLOR COMMUNICATIONS		
22-01177	10/24/22 COURT	Open	396.00
00331	TREASURER, STATE OF NJ		
23-00054	01/12/23 TIDELANDS	Open	1,250.00

2658	VERIZON		
23-00046	01/12/23 SEWER	Open	455.25
2291	VERIZON		
23-00051	01/12/23 FIOS	Open	88.99
2658	VERIZON		
23-00052	01/12/23 PHONE	Open	370.49
02061	VERIZON WIRELESS		
22-01290	11/29/22 CELLS	Open	1,024.53

**TOTAL: \$ 444,239.59**

**Manual/Electronic Checks**

1/5/2023	BOROUGH OF SEA BRIGHT-CURRENT FUND	\$100.00
23-00022	REPLENISH PETTY CASH FUND	
1/6/2023	CMRS-FP/US.POSTAL SERVICE	\$607.00
23-00004	REFILL POSTAGE MACHINE	
1/10/2023	MNMTH. MUNC.JOINT INSURANCE FUND	\$120,295.00
23-00021	1ST INSTALLMENT 2023	
1/10/2023	NJ DEPT OF HEALTH	\$1.20
23-00016	MONTHLY ANIMAL LICENSE REPORT	
1/11/2023	WEX BANK	\$6,642.70
23-00037	GASOLINE:DECEMBER	

**TOTAL: \$ 127,645.90**

**GRAND TOTAL: \$ 571,885.49**