# MINUTES REGULAR MEETING BOROUGH OF SEA BRIGHT

# **APRIL 4, 2023**

**SEA BRIGHT, NEW JERSEY** 

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

https://meet.goto.com/443158013 Or dial: (312) 757-3121 Access Code: 443-158-013

**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., Heather Gorman, William J. Keeler, John M. Lamia, Jr.

**ABSENT:** Councilmember Samuel A. Catalano

**OTHERS:** Attorney Richard Shaklee, Administrator Joseph Verruni,

Borough Clerk Christine Pfeiffer

# MOMENT OF SILENCE FOR THE FOLLOWING MEMBER OF THE SEA BRIGHT COMMUNITY WHO RECENTLY PASSED AWAY: Joan Largey

## **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.

No one wished to be heard.

#### **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

03-16-2023 Workshop Meeting 03-16-2023 Executive Session 03-21-2023 Regular Meeting

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

Yes Yes Absent Yes Yes Yes

## **Resolutions:**

### No. 63-2023 Self-Examination of Budget

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

**WHEREAS,** N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS,** pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Sea Bright has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2023 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

- 1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
- 2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
- 3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
- 4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
- 5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
- 6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

No. 64-2023 Place-to-Place/Extension of Premise Transfer
Liquor License #1343-33-013-006
Shipmasters, Inc. t/a Eventide Grille at Navesink Marina

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

**WHEREAS**, an application has been filed for a Place-to-Place Transfer (Expansion of Premises) of Plenary Retail Consumption License Number 1343-33-013-006, issued to Shipmasters, Inc. t/a Eventide Grille at Navesink Marina, 1410 Ocean Avenue, Sea Bright, New Jersey, for the purpose of expanding the premises under license wherein the sale, service, and storage of alcoholic beverages are authorized; and

**WHEREAS**, the submitted application form is complete in all respects, all appropriate State and Borough transfer fees have been paid, and the license has been properly renewed for the current license term;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey does hereby approve, effective April 4, 2023, the expansion of the aforesaid Plenary Retail Consumption licensed premises located at 1410 Ocean Avenue, Sea Bright, New Jersey, to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

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

- 1. Chief of Police
- 2. State of New Jersey, Division of ABC
- 3. Eventide Grille

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

No. 65-2023 Authorizing Receipt of Bids 2023 Grounds Maintenance in the Borough of Sea Bright

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

WHEREAS, the Borough Council is desirous of receiving bids for the following:

a) 2023 Grounds Maintenance in the Borough of Sea Bright

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

**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 Clerk to advertise for bids for the aforesaid item as per the specifications on file and will be received by the Borough on a date and time to be determined; and

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

- 1. Finance Manager
- 2. Department of Public Works
- 3. CFO

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

No. 66-2023 Authorizing a Shared Services Agreement with the Borough of Highlands 2023 Ocean Rescue Lifeguard Services

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

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et. seq. authorizes the approval of Shared Services Agreements between local units by Resolution; and

**WHEREAS,** the Borough of Sea Bright ("Sea Bright") and the Borough of Highlands ("Highlands") wish to enter into a Shared Services Agreement for the provision of lifeguard services by Sea Bright to Highlands for the 2023 summer season; and

**WHEREAS,** Sea Bright and Highlands agree that Sea Bright is to provide lifeguard services to Highlands for the period of June 17, 2023 through and including September 4, 2023 as per the terms of the attached Agreement for an amount of \$55,628.00; and

**WHEREAS,** Sea Bright and Highlands previously agreed that Highlands will perform street sweeping services for Sea Bright at a cost of \$15,000.00 which was authorized by way of Resolution No. 53-2023; and

**WHEREAS,** per the terms of the agreement, Sea Bright will apply a credit of \$15,000.00 towards the cost of lifeguard operations, wherein Highlands will pay Sea Bright the total amount of \$40,628.00 for lifeguard services; and

**WHEREAS,** the parties acknowledge and agree that they are associated for only the purposes set forth in the Agreement and any other duly ratified Shared Services Agreement between them, and that each is a public entity separate and distinct from the other.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute a Shared Services Agreement to provide lifeguard services to the Borough of Highlands for the 2023 summer season for a fee of \$55,628.00; and

**BE IT FURTHER RESOLVED,** the net amount paid by Highlands to Sea Bright will be \$40,628.00 as referenced above; and

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

- 1. Finance Manager
- 2. Beach Manager
- 3. Borough Attorney
- 4. Borough of Highlands
- 5. Department of Community Affairs, DLGS
- 6. Monmouth County JIF

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

No. 67-2023 Authorizing Appointment of a Recycling Coordinator and Back-Up Sewer Collection Operator

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

**WHEREAS,** pursuant to N.J.A.C.7:10A-1.10(c)8(f), any time the licensed sanitary sewer operator is unavailable to cover the system for which he or she is the licensed operator, the owner shall obtain the services of alternate licensee; and

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**WHEREAS,** it is in the best interest of the Borough to appoint an individual to serve as the Borough's alternate licensed operator for the operation of the Sea Bright sanitary sewer system in case the of an emergency; and

**WHEREAS,** it is also in the best interest of the Borough to appoint a Recycling Coordinator to submit the annual Recycling Tonnage Grant application on behalf of the Borough; and

**WHEREAS,** Shawn Thomas, former Deputy Director of the Department of Public Works, has the necessary certifications and is qualified to serve as an alternate Sewer Collection System C1 Operator and Recycling Coordinator; and

**WHEREAS,** the Borough Administrator recommends the Borough Council appoint Shawn Thomas, former Deputy Director of the Department of Public Works, to serve as alternate Sewer Collection System C1 Operator and Recycling Coordinator and to be compensated in an amount not to exceed \$1,750.00 annually.

#### **Certification of Funds**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that \$1,750.00 will be available in the Recycling Tonnage Grant and Sewer Utility for the purposes stated herein.

MICHAEL J. BASCOM, CFO

**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 appointment of Shawn Thomas to serve as the Alternate licensed C1 operator and Recycling Coordinator and shall receive an annual payment in the amount of \$1,750.00 for performing such duties; and

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

- 1. Shawn Thomas
- 2. Finance Manager
- 3. D. Bahrle

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

# No. 68-2023 Authorizing Salary Adjustment for Deputy Clerk

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

**WHEREAS,** Michelle Ketcham has been employed by the Borough of Sea Bright since 2015 and has served as the Deputy Clerk since 2018; and

**WHEREAS**, the Borough Council is desirous of making a wage adjustment to the position of Deputy Clerk, increasing the annual salary to \$68,000.00, effective as of the date of this Resolution.

# **CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds are available in Borough Clerk S/W:

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 a salary increase for Deputy Clerk, Michelle Ketcham, to the annual salary of \$68,000.00, effective April 4, 2023.

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

- 1. Finance Manager
- 2. Michelle Ketcham

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

No. 69-2023 Authorizing Salary Adjustment for Building Department Secretary and Technical Assistant

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

**WHEREAS,** Karen DiBerardino has been employed by the Borough since 1995 and is currently the Building Department Secretary and Technical Assistant; and

**WHEREAS**, the Borough Council is desirous of making a wage adjustment to the Building Department Secretary and Technical Assistant, increasing the annual salary by \$5,000.00, retroactive to January 1, 2023.

#### **CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds are available in Building Department S/W:

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 a \$5,000.00 increase in the salary paid to the Building Department Secretary and Technical Assistant, Karen DiBerardino, retroactive to January 1, 2023.

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

- 1. Finance Manager
- 2. Karen DiBerardino

Roll Call:

Bieber, Yes

Booker, Yes Catalano, Absent Gorman, Yes Keeler, Yes

Lamia Yes

No. 70-2023

Authorizing Hiring of Police Officers Designation of Special Law Enforcement Officers - Class I

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

**WHEREAS,** there exists a need for Class I Special Officers in the Police Department in the Borough of Sea Bright; and

**WHEREAS,** Chief Brett Friedman requested that the following be appointed as a Class I Special Police Officers after fulfilling the required training at the Monmouth County Police Academy.

#### **CLASS I SPECIAL POLICE OFFICERS**

Kenneth A. Fisler Anthony J. Gandolfo Thomas J. Wolf

#### **CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds are available in Police S/W for the purpose stated herein:

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 approve the appointment of Class I Special Officers, Kenneth A. Fisler, Anthony J. Gandolfo, and Thomas J. Wolf at an hourly rate of pay as specified in Ordinance No. 04-2021; and

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

- 1. Khristi Jacobs, Finance Manager
- 2. Brett Friedman, Police Chief
- 3. Appointees

Roll Call:

Bieber, E

Booker,

Catalano,

Gorman,

Keeler,

Lamia

Yes Yes Absent Yes Yes Yes

## **INDIVIDUAL ACTION/New Business:**

**Vouchers:** \$ 317,686.87

Councilmember Keeler offered a motion to approve the <u>Voucher List</u> dated April 4, 2023 as submitted by the Finance Manager; seconded by Councilmember Booker:

Roll Call:	Bieber, Yes	Booker, Yes	Catalano, Absent	Gorman, Yes	Keeler, Yes	Lamia Yes
2790 ACB SERVICES, INC. 23-00297 03/14/23 Buildings & Grounds				Open	3,888.73	
01062 ALL 22-01093 10 23-00248 02	/03/22 RIT	Training	LLC	Open Open	375. 484.	
00757 ARIX	,	CE: POSTAGE	Z/MAIL	Open	859. 29.	
2806 AUTO 23-00299 03		DING CONTRO		Open	2,500.	00

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01631 BOROUGH OF OCEANPORT 23-00358 03/29/23 COURT	Open	6,500.00
01565 BOROUGH OF SEA BRIGHT 23-00362 03/29/23 ADMIN	Open	4,275.00
01547 CHURCH'S GARDEN CENTER & 22-01304 11/30/22 DUNE GRASS	Open	1,700.00
2555 CJM ASSOC. OF SEA BRIGHT 23-00359 03/29/23 LEASE	Open	1,000.00
00506 FARMER, JANE 23-00344 03/27/23 LIBRARY	Open	180.20
2757 FIRE AND SAFETY SERVICES 22-01223 11/04/22 Repairs - 4395	Open	1,723.78
01720 FIREFIGHTER ONE, LLC 23-00332 03/22/23 Repairs - 4390	Open	564.85
02101 GANNETT NJ NEWSPAPERS 23-00349 03/28/23 CLERK 23-00367 03/30/23 PLAN BRD	Open Open	40.48 33.44
00649 GILHOOL, MEGAN	-	73.92
23-343 7/23 LIBRARY	Open	150.00
00000 GRIMMER BROTHERS RAILINGS, LLC 22-01399 12/21/22 Railings	Open	4,375.00
01887 HEIM ELECTRONICS, INC. 23-00302 03/14/23 Buildings & Grounds	Open	389.90
2478 HOLISTIC WELLNESS, LLC 23-00345 03/27/23 LIBRARY	Open	500.00
2710 HOLMDEL TOWNSHIP 23-00356 03/29/23 FISCAL	Open	3,567.17
01285 HOME DEPOT CREDIT SERVICES 23-00330 03/16/23 SEWER	Open	188.64
2323 INTEGRATED SYSTEMS & SERVICES 23-00295 03/14/23	Open	860.00
2297 INTEGRATED TECHNICAL SYSTEMS 23-00354 03/28/23 PARKING	Open	11,970.00
00297 JESSE A. HOWLAND & SONS, INC. 23-00357 03/29/23 LEASE	Open	1,705.00
2264 KETCHAM, MICHELLE 23-00342 03/27/23 CLERK	Open	150.83
00108 LEON S. AVAKIAN, INC. 23-00365 03/30/23 ENGINEER	Open	752.50
02045 MONMOUTH COUNTY SPCA 23-00361 03/29/23 ANIMAL	Open	325.00
01694 NAVESINK MARINA 23-00231 02/27/23 Boat Repairs	Open	519.86
01399 NEW JERSEY AMERICAN WATER 23-00353 03/28/23 WATER	Open	4,659.36
00113 NJ NATURAL GAS COMPANY 23-00351 03/28/23 NAT GAS	Open	2,572.49
00885 OCEAN TWP FIRE DISTRICT NO. 2 23-00360 03/29/23 FIRE OFFICIAL	Open	350.00
01309 OCEANPORT BOARD OF EDUCATION 22-00760 06/28/22 SCHOOL TAX	Open	73,450.92
01662 OTC BRANDS, INC 23-00279 03/06/23 EASTER EGG & SUPPLIES	Open	822.36
01207 PFEIFFER, CHRISTINE 23-00341 03/27/23 CLERK	Open	30.00
2525 POOR JOHNS PORTABLE TOILETS 23-00335 03/22/23 Beach	Open	366.00
2651 PRIVETERA'S CHRISTMAS LIGHTING 23-00331 03/16/23 BEAUTIFICATION	Open	2,230.00
2828 R&H SPRING & TRUCK REPAIR 22-01181 10/27/22 Repairs - 4390	Open	350.00
00164 RAIN, WILLIAM 23-00355 03/29/23 HEALTH	Open	161.00
00533 RUTGERS, THE STATE UNIVERSITY 23-00228 02/27/23 Sewer Department	Open	895.00
00408 SCHWAAB, INC. 23-00301 03/14/23	Open	33.75
00053 SHORE REGIONAL HIGH SCHOOL 22-00758 06/28/22 SCHOOL TAX	Open	181,370.18
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02225 STAPLES ADVANTAGE 22-01352 12/14/22 POLICE: OFFICE SUPPLIES	Open	236.88
2810 TOMAINO, JOSEPH P. 23-00364 03/29/23 LEGAL	Open	862.50
00331 TREASURER, STATE OF NJ 23-00350 03/28/23	Open	200.00
2291 VERIZON 23-00352 03/28/23 FIOS	Open	276.98
2658 VERIZON 23-00366 03/30/23 PHONE	Open	70.48

GRAND TOTAL: \$ 317,686.87

#### **MAYOR AND COUNCIL COMMENTS**

Mayor Kelly thanked Recreation Director, Don Klein and the Committee, for a successful Easter Egg Hunt this past Sunday. The Mayor reported a post sandy meeting was also held on Sunday in the Pavilion - Mayor Dina Long attended as did New Jersey Future Planner Steve Nelson, who helped Sea Bright after the storm, along with about 30 planners from around the country to hear about "lessons learned" after Sandy – they held a Q & A and walked the town. Mayor Kelly stated that he is looking forward to a successful beach season and hopefully a successful and productive mediation between Highlands and Atlantic Highlands regarding school regionalization.

Councilman Bieber explained that he has taken a close look and held numerous meetings about public space ordinance enforcement, specifically smoking, dogs, and alcohol consumption on the beach – the committee has a number of recommendations and would like to go through them at the workshop meeting next week. The second area he has been looking at is resident parking challenges, specifically in the downtown and north beach and would like to present those recommendations at the upcoming workshop meeting in more detail.

Councilman Booker reported that the remains of another dolphin was spotted in the water off Osborne Place - Monmouth County Officials will be hosting a press conference tomorrow at 11:00am at Seven Presidents Beach to discuss the ongoing marine wildlife deaths that have been occurring.

Councilwoman Gorman stated that we met with ZUMU, our website developer to discuss some improvements and they have agreed to make those changes for \$1,000.

Councilman Lamia thanked Public Works for getting the beach ready for the Easter Egg Hunt and stated that they have been helping get the exterior of the recreation center cleaned up – they did the sofit, new railing, and will be painting soon. The Beautification Committee is looking to see how we can manage the landscaping on the bump outs throughout town and he is working with Frank Lawrence and Sandy Mulheren to get the planters ready for the season. Public Works is finalizing the check valve repairs and he is working with JCP&L on the 28 street lights that need repair. There will be some manhole repair work on Ocean Avenue in the future. We appointed a Recycling Coordinator so we can participate in the Recycling Tonnage Grant this year. Councilwoman Gorman questioned what to do if there is an active construction site and the debris is not being managed properly – Councilman Lamia said to call Karen in the Building Department and she will work with Code Enforcement Officer, Tom Haege to get it taken care of quickly.

Councilman Keeler stated that he has a meeting scheduled tomorrow with the Superintendent of Sandy Hook to explore the possibilities of utilizing one of their storage facilities and to see if they are interested in joining our conversations with the DOT regarding highway safety. Councilman Bieber asked if the NJDOT needs anything from the Borough continue down the path to getting the pedestrian crosswalks approved at the two beach clubs as well as the original five crosswalks approved. Administrator Verruni stated that we should pass a resolution supporting the DOT's midblock crosswalk project.

#### **EXECUTIVE SESSION**

Executive session not held.

#### **ADJOURNMENT**

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

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

Respectfully Submitted,

Christine Pfeiffer Borough Clerk