

**MINUTES  
REGULAR MEETING  
BOROUGH OF SEA BRIGHT**

**MAY 16, 2023**

**SEA BRIGHT, NEW JERSEY**

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

<https://meet.goto.com/978145861>

OR DIAL: (872) 240-3212

Access Code: 978-145-861

**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, CFO Michel Bascom, 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.

**Public comments were received at the close of the meeting due to audio issues.**

**CONSENT AGENDA**

Councilmember Gorman offered a motion to pull Resolution No. 93-2023 from the consent agenda and carry it to a future meeting; seconded by Councilmember Lamia:

<b>Roll Call:</b>	Bieber,	Booker,	Catalano,	Gorman,	Keeler,	Lamia
	Yes	Yes	Yes	Yes	Yes	Yes

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

**Minutes**

05-02-2023	Regular Meeting
05-02-2023	Executive Session

<b>Roll Call:</b>	Bieber,	Booker,	Catalano,	Gorman,	Keeler,	Lamia
	Yes	Yes	Yes	Yes	Yes	Yes

**Resolutions:**

**No. 90-2023      Hiring Seasonal Borough Employees**

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

**WHEREAS**, there exists a need for seasonal employees in the Borough of Sea Bright; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey that the following employees be hired and receive the hourly rate of pay in accordance with the Borough's Salary Ordinance No. 04-2021.

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds are available in Beach and DPW - Salaries & Wages for the purposes stated herein.

  
MICHAEL J. BASCOM, CFO

BEACH/DPW - Salaries & Wages

<u>Employee</u>	<u>Position</u>
Susie Markson	Assistant to the Beach Manager
Dr. Matt Letizia	Medical Director
Joseph Borrino	Lifeguard
Dylan Bucci	Lifeguard
Isabella Bulhoes	Lifeguard
Hayden DeLanzo	Lifeguard
Conor Doogan	Lifeguard
John Doughney	Lifeguard
Kasey Doughney	Lifeguard
Jack Forsman	Lifeguard
Will Gulick	Lifeguard
Aidan Hannigan	Lifeguard
Michael Hannigan	Lifeguard
Barrett Heine	Lifeguard
William Horwath	Lifeguard
Ashely Julian	Lifeguard
Jillian Kenney	Lifeguard
Sean Larson	Lifeguard
Jonathan Lauria	Lifeguard
Dan Maloney	Lifeguard
Hunter Manning	Lifeguard
Michael Marsicano	Lifeguard
Sean McCabe	Lifeguard
Abigail Michaelson	Lifeguard
Ian O'Neil	Lifeguard
Luke Rusbarsky	Lifeguard
Gabriel Stypul	Lifeguard
Mason Twining	Lifeguard
Julia Vaber	Lifeguard
Tiffany Wen	Lifeguard
Ryan Zalinski	Lifeguard
Lauren Zeni	Lifeguard
Cadence Zink	Lifeguard
Sam Alcaide	Badge Checker
Emma Carpenter	Badge Checker
Giuliana Cirillo	Badge Checker
Jack Coleman	Badge Checker
Kristi DeMichele	Badge Checker
Caroline Donohoe	Badge Checker
Brendan Doughney	Badge Checker
Rachel Eagan	Badge Checker
Kayla Edison	Badge Checker
Julia Fuhrman	Badge Checker
Ashley Hall	Badge Checker
Dylan Havens	Badge Checker
Cameron Klein	Badge Checker
Alanna Koerner	Badge Checker
Alyssa Lonardo	Badge Checker
Emma Lonardo	Badge Checker
Kathryn Martin	Badge Checker
Tommy Martin	Badge Checker
Chace Perry	Badge Checker
Rylee Perry	Badge Checker
Sarah Potts	Badge Checker
Adam Ross	Badge Checker
Emma Schottlander	Badge Checker
Jane Sypeck	Badge Checker
Liam Wickham	Badge Checker
Gabrielle Winters	Badge Checker
Jack Costello	DPW
Michael Greco	DPW
Peter Locascio	DPW
William Nitto	DPW
Jack Scrivanic	DPW
Qua'Shere Smith	DPW
George Tamaro	DPW

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

- 1. Finance Manager
- 2. Beach Manager
- 3. Director of Public Works

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

**No. 91-2023 Authorizing Hiring of Police Officers Designation of Special Law Enforcement Officer - Class I**

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

**WHEREAS**, there exists a need for a Class I Special Officer 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 Officer after fulfilling the required training at the Monmouth County Police Academy.

**CLASS I SPECIAL POLICE OFFICERS**  
 Kory J. Pool

**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 Officer Kory J. Pool 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. Appointee

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

**No. 92-2023 Awarding Raises for Non-Union Employees**

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

**WHEREAS**, the Borough of Sea Bright is a municipal employer with full time and part time staff; and

**WHEREAS**, the governing body has provided for a 3.0% increase in salary and wages in the 2023 budget; and

**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 2023 annual salary increase of 3.0% for non-union employees, retroactive to January 1, 2023; and

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

- 1. Finance Manager
- 2. CFO
- 3. Borough Administrator

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

**No. 93-2023 Authorizing A Fee for Service Agreement Between the Borough of Sea Bright and the City of Long Branch Fire Department**  
**\*CARRIED\***

**No. 94-2023                    Authorizing an Agreement with Surfrider Beach Club for 2023 Ocean Rescue Lifeguard Services**

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

**WHEREAS**, the Borough of Sea Bright ("Sea Bright") and Surfrider Beach Club, Sea Bright, New Jersey (Surfrider) wish to enter into an Agreement for the provision of ocean rescue lifeguard services by the Borough of Sea Bright for the 2023 beach season; and

**WHEREAS**, Sea Bright and Surfrider agree that Sea Bright is to provide lifeguard services to Surfrider’s beach according to the terms and conditions outlined in the attached agreement on weekends and holidays beginning Saturday, May 27, 2023 to Friday, June 9, 2023; full-time (seven days a week) from Saturday, June 10, 2023 through Monday, September 4, 2023 for a fee of \$48,872.50; and

**WHEREAS**, the parties acknowledge and agree that they are associated for only the purposes set forth in the Agreement; and

**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 an agreement for ocean rescue lifeguard services with Surfrider Beach Club for the 2023 summer season for a fee of \$48,872.50; 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. Surfrider Beach Club
- 5. Monmouth County JIF

<b>Roll Call:</b>	Bieber,	Booker,	Catalano,	Gorman,	Keeler,	Lamia
	Yes	Yes	Yes	Yes	Yes	Yes

**No. 95-2023                    Authorizing the Mayor and Municipal Clerk to Execute the FY2024-FY2026 Revised Amendment Agreement with Monmouth County for Cooperative Participation in The Community Development Program Pursuant to The Interlocal Services Act**

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

**WHEREAS**, certain Federal funds are potentially available to Monmouth County under Title I of the Housing and Community Development Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

**WHEREAS**, it is necessary to establish a legal basis for the County and its residents to benefit from this program; and

**WHEREAS**, a Revised Amendment Cooperation Agreement has been adopted under which the Borough of Sea Bright and the County of Monmouth in cooperation with other municipalities will establish an Interlocal Services Program pursuant to N.J.S.A. 40:8B-1; and

**WHEREAS**, it is in the best interest of the Borough of Sea Bright to enter into such the revised amendment cooperation agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the Revised Amendment Agreement between the County of Monmouth and Certain Municipalities located herein for the establishment of a Cooperative Means of Conducting certain Community Development Activities, a copy of which is attached, thereto, be and same is hereby approved.

**BE IT FURTHER RESOLVED** that the Mayor and Municipal Clerk be and same are hereby authorized to execute said agreement in accordance with the provisions of law; and

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately upon its enactment.

<b>Roll Call:</b>	Bieber,	Booker,	Catalano,	Gorman,	Keeler,	Lamia
	Yes	Yes	Yes	Yes	Yes	Yes

**No. 96-2023                    Authorizing Receipt of Bids for a Summer Business – Evening Yoga to Operate on The Sea Bright Municipal Beach**

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

**WHEREAS**, the Borough Council is desirous of receiving bids for the following business to operate on the Municipal Beach during the summer season:

- 1) Evening Yoga

**WHEREAS**, specifications for the aforesaid will be on file and available in the Borough Clerk’s Office during regular business hours and on the Borough website: [www.seabrightnj.org](http://www.seabrightnj.org).

**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 Clerk to advertise for bids for the aforesaid item as per the specifications on file, to be received by the Borough Clerk, 1099 Ocean Avenue, Sea Bright, New Jersey on a date to be determined; and

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

- 1. Finance Manager
- 2. Beach Manager

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

**No. 97-2023                    Community Center Rental Fees**

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

**WHEREAS**, the Governing Body of the Borough of Sea Bright wish to hereby establish the following fees for use of the Cecile F. Norton Community Center for the year 2023:

**A. User Fees:**

- |   |   |
|---|---|
| 1. Non-Resident Rentals/Parties                   | \$250.00  |
| 2. Any For-Profit Activity                        | \$400.00/day or<br>\$50.00/hour                                 |
| 3. Sea Bright Resident Private Parties            | \$50.00   |
| 4. Sea Bright Non-Profits/Community Organizations | N/C for meeting room<br>\$50 for gym                            |
| 5. Non-Sea Bright/Non-Profits Meetings            | \$75.00   |
| 6. Sea Bright open recreation                     | N/C   |
| 7. Other recreation programs/events               | Participation fee to be<br>determined by<br>Recreation Director |

**B.** In addition to the user fee, a \$200.00 refundable deposit fee will be required for all events in the recreation center. This deposit fee will be returned to the applicant, provided the facility is left in a condition deemed satisfactory within ten days after the event.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that the above fees for the year 2023 are hereby approved effective immediately.

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

- 1. Special Events Coordinator
- 2. Finance Manager
- 3. Recreation Director

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

**No. 98-2023                    Approving Proposal for Engineering Services FY2023 Municipal Aid Program for Road Improvements Island View Way, Garden Way, and Longview Way**

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

**WHEREAS**, the Governing Body of the Borough of Sea Bright approved Resolution 137-2022 on July 19, 2022 authorizing the submission of a grant application to the New Jersey Department of Transportation's (NJDOT) Fiscal Year 2023 Municipal Aid Program for the Island View Way, Garden Way, and Longview Way Roadway Improvements Project; and

**WHEREAS**, the Mayor received a letter dated November 23, 2022 from the NJDOT that the Borough was selected to receive funding from the Fiscal Year 2023 Municipal Aid Program in the amount of \$196,760.00; and

**WHEREAS**, in connection therewith, Borough Engineer Gregory Blash, Leon S. Avakian Consulting Engineers, Neptune, New Jersey submitted a proposal for professional engineering services associated with the rehabilitation of the roadway improvements on Island View Way, Garden Way, and Longview Way in the amount of \$33,600.00; and

**CERTIFICATION OF FUNDS:** I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds in the amount of \$33,600.00 will be available in Bond Ordinance No. 05-2023 for the purposes stated herein.



**MICHAEL J. BASCOM, CFO**

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright, in the County of Monmouth, State of New Jersey, that the Borough Council hereby approves the proposal submitted by Leon S. Avakian, Inc. dated February 8, 2023 for professional engineering services associated with the New Jersey Department of Transportation's Fiscal Year 2023 Municipal Aid Program for the Island View Way, Garden Way, and Longview Way Roadway Improvements Project, for the sum of \$33,600.00; and

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

- 1. Leon S. Avakian, Inc. – Borough Engineer
- 2. NJ Department of Transportation

<b>Roll Call:</b>	Bieber,	Booker,	Catalano,	Gorman,	Keeler,	Lamia
	Yes	Yes	Yes	Yes	Yes	Yes

**No. 99-2023                    Chapter 159 Budget Amendment State of New Jersey Stormwater Assistance Grant**

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

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$15,000.00 which is now available as a revenue from the **Stormwater Assistance Grant** in the amount of \$15,000.00; and

**BE IT FURTHER RESOLVED** that the like sum of \$15,000.00 is hereby appropriated under the caption of **Stormwater Assistance Grant**; and

**BE IT FURTHER RESOLVED** that the above is the result of funds awarded from the New Jersey Department of Environmental Protection, Division of Watershed Protection and Restoration's Stormwater Assistance Grant in the amount of \$15,000.00.

<b>Roll Call:</b>	Bieber,	Booker,	Catalano,	Gorman,	Keeler,	Lamia
	Yes	Yes	Yes	Yes	Yes	Yes

**No. 100-2023      Authorizing the Purchase of Polaris Ranger 1000 Utility Vehicle (UTV) for the Sea Bright Beach Department**

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

**WHEREAS,** the Borough of Sea Bright is in need of a new vehicle for the Beach Department; and

**WHEREAS,** the Beach Manager recommends the purchase of a Polaris Ranger 1000 UTV from Jersey Shore Power Sports, Middletown, NJ through the Borough’s Cooperative Purchasing membership with Sourcewell (ID#29820) for the base amount of \$15,987.00 including the following additional items for the total cost of \$21,645.00; and

Base Price:	\$ 15,987.00
Polaris Fees:	\$ 895.00
LED Emergency Light:	\$ 1,600.00
Siren with Mic:	\$ 1,000.00
Rust Inhibitor:	\$ 200.00
Wrap Hood:	\$ 400.00
5 Year Warranty:	\$ 1,563.00
<b>TOTAL:</b>	<b>\$21,645.00</b>

**WHEREAS,** the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, NJSA 40A:11-11(5).

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, certify that funds in the amount of \$21,645.00 are available in the Beach Trust Account 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, hereby authorize the Beach Manger to purchase a Polaris Ranger 1000 UTV for the total amount of \$21,645.00 from Jersey Shore Powersports, Middletown, New Jersey; and

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

- 1. Beach Manager
- 2. Finance Manager
- 3. Jersey Shore Powersports

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

**No. 101-2023      Donation of 2024 Beach Badges**

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

**WHEREAS,** the Governing Body of the Borough of Sea Bright wish to support the fundraising efforts for the local organization listed below by donating two (2) 2024 beach badges as requested:

- 1. Holiday Express                                    **2 Badges**  
Sunset Benefit Clambake – September 10, 2023

**WHEREAS,** the Borough Auditor has been informed and advised that a resolution should be considered in order to donate 2024 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 two (2) 2024 Season Beach Badges to the aforementioned charitable organization; and

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

- 1. Borough Administrator
- 2. Borough Auditor
- 3. Individual Requestor

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

**No. 102-2023      Consideration of Proposal Received for Professional Appraisal Services for 2023 State Tax Court Appeals**

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

**WHEREAS**, the Borough Council authorized receiving proposals for professional appraisal services for 2023 State tax court appeals on April 18, 2023; and

**WHEREAS**, the Borough Clerk did duly advertise on April 21, 2023 to receive proposals on May 12, 2023 for professional appraisal services to defend the 2023 State tax court appeals; and

**WHEREAS**, in connection therewith, one proposal was received from Gerald J. Briscione, The Meers Group, Ltd., Monmouth Beach, NJ, for an hourly rate of \$250.00 - not to exceed \$1,000.00 for Phase I and not to exceed \$2,500.00 for Phase II, as outlined on the attached fee schedule; and

**WHEREAS**, Borough Tax Assessor, Timothy Anfuso recommends a contract be awarded to Gerald J. Briscione, The Meers Group, Ltd.; and

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available for this contract in Legal O&E.

  
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 do hereby authorize the Mayor and Borough Clerk to execute a contract with Gerald J. Briscione, The Meers Group, Ltd., Monmouth Beach, New Jersey, to provide professional appraisal services to defend the 2023 State tax court appeals, pursuant to the rates and terms set forth in the submitted proposal; and

**BE IT FURTHER RESOLVED** that a notice of this action shall be printed one time in the "Two River Times" newspaper.

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

- 1. Gerald J. Briscione
- 2. Tax Assessor
- 3. Finance Manager

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

**No. 103-2023      Authorizing Agreement with River Street Realty, LLC for Use of Property at 4 River Street – Block 15, Lot 4, for Additional Employee Parking in the 2023 Summer Season**

Councilmember Bieber offered the following Resolution and moved its adoption with the amendments noted below; seconded by Councilmember Booker:

**WHEREAS**, it has been determined that the Borough of Sea Bright needs to provide additional permit parking for Borough employees and emergency responder volunteers; and

**WHEREAS**, the Borough wishes to enter into a lease agreement with River Street Realty, LLC for the property known as Block 15, Lot 4 to be used by the Borough of Sea Bright for a Municipal Employee Permit Parking facility as follows:

**Municipal Permit Parking Facility: Memorial Day – Labor Day**  
**For the total sum of \$6,000.00**

**WHEREAS**, the Borough has determined that this would be a proper temporary use under the provisions of the Borough's zoning ordinance pursuant to Chapter 130, Section 49F; and

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds are available in Parking O/E for the purposes stated herein.

  
MICHAEL J. BASCOM, CFO

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Bright that the Mayor and Borough Clerk be and are hereby authorized and directed to execute a lease agreement with River Street Realty, LLC for the property know as 4 River Street (Block 15, Lot 4)



to be used by the Borough of Sea Bright for a Municipal Employee Permit Parking facility as referenced above.

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

- 1. River Street Realty, LLC
- 2. Chief Brett Friedman
- 3. Khristi Jacobs, Financial Manager

**BE IT FURTHER RESOLVED** that the form of the aforesaid lease agreement shall be approved by the Borough Administrator and Borough Attorney.

**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. 06-2023**  
**BOROUGH OF SEA BRIGHT**  
**MONMOUTH COUNTY, NEW JERSEY**  
**AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A**  
**FINANCIAL AGREEMENT WITH HAVEN AT SEA BRIGHT**  
**URBAN RENEWAL, LLC**

Councilmember Booker offered a motion to open the public hearing on Ordinance No. 06-2023; seconded by Councilmember Keeler:

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

**Public Hearing (Ord. No. 06-2023)**  
**No one wished to be heard.**

Councilmember Keeler offered a motion to close the public hearing on Ordinance No. 06-2023; 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. 06-2023 and advertise according to law; seconded by Councilmember Booker:

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

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "**LRHL**"), Block 13, Lots 13, 14, 15, 17, 18, 20, 21 and 22; Block 14, Lots 12 and 14; and Block 15, Lots 5 (formerly Lots 5, 6, and 7), 8, 9, 10, 11 and 12 as identified on the tax maps of the Borough (as further defined in Section 1.2 herein, and as more specifically described in Exhibit 2 to the Application (the "**Project Site**") have been designated by the Mayor and Council as an "area in need of redevelopment" ("**Redevelopment Area**"); and

**WHEREAS**, on October 9, 2020, by Ordinance No. 10-2020, the Mayor and Borough Council approved a redevelopment plan for the revitalization and redevelopment of the Redevelopment Area entitled Sea Bright River Properties Redevelopment Plan, as amended by Ordinance No. 13-2022, adopted December 20, 2022 (and as same may be further amended from time to time, the "**Redevelopment Plan**"), a copy of which is on file with the Borough Clerk; and

**WHEREAS**, the Borough, via Council Resolution 193-2022, adopted December 20, 2022, approved a redevelopment agreement with Denholtz Acquisition, LLC ("Denholtz"), setting forth the terms for Denholtz' residential development of a project (the "**Project**") in the Redevelopment Area, pursuant to the Redevelopment Plan (the "**Redevelopment Agreement**"); and

**WHEREAS**, Denholtz formed a special purpose entity, Haven at Sea Bright Urban Renewal, LLC (the "**Entity**"), to undertake the redevelopment of the Redevelopment Area, pursuant to the Redevelopment Plan and the Redevelopment Agreement; and

**WHEREAS**, the Entity filed the application attached hereto as Exhibit A (the "**Application**") seeking a long term tax exemption pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the "**LTTE Law**") and approval of a financial agreement for payment in lieu of taxes (the "**Financial Agreement**"); and

**WHEREAS**, the Borough Council, on the Mayor’s recommendation, wishes to approve the Application and has determined that it is appropriate to enter into the Financial Agreement for the Project for a term of fifteen (15) years and to accept annual service charges from the Entity in lieu of real property taxes associated with the Project Site; and

**WHEREAS**, the parties have negotiated the Financial Agreement, and the Mayor and Council have determined that it is appropriate to approve the execution of the Financial Agreement between it and the Entity; and

**WHEREAS**, the Borough makes the following findings in accordance with Section 11 of the LTTE Law with respect to the Project (as hereinafter defined):

1. Relative Benefits of the Project: In accordance with LTTE, specifically N.J.S.A. 40A:20-11(a), the Borough hereby finds and determines that this Agreement is a direct benefit to the health, safety, welfare and financial well-being of the Borough and its citizens. The Project will accelerate the redevelopment successful marketing and sales of the Project. Further, the Project will generate jobs, increase tax ratables and provide public improvements. When compared to the costs, if any, associated with the tax exemption, the Borough finds that the benefits outweigh the costs, recognizing that the Borough will retain ninety-five percent (95%) of the amount of the PILOT.

2. Assessment of the Importance of the Tax Exemption: In accordance with the LTTE Law, specifically N.J.S.A. 40A:20-11(a), the Borough hereby finds and determines that this Agreement is a critical incentive for the Entity to develop the Project. The tax exemption will facilitate the successful development of the Project by making the units more attractive to purchasers; thus, resulting in the development of the Project in an area that contains vacant and underutilized parcels for which the Borough has previously been seeking redevelopers. As a result, the decisions of the potential purchasers will be positively influenced by the tax exemption.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Sea Bright, County of Monmouth and State of New Jersey as follows:

**Section 1.** The findings set forth above are hereby adopted and made part of this Ordinance.

**Section 2.** Pursuant to the authority granted to the Borough under the LTTE Law, this Ordinance approves the Application and authorizes the execution of the Financial Agreement with Haven at Sea Bright Urban Renewal, LLC for a 15-year tax exemption with respect to the construction of a residential Project in the Redevelopment Area, pursuant to the Redevelopment Plan and Redevelopment Agreement.

**Section 3.** The Mayor is authorized to execute the Financial Agreement in substantially the form attached to the Application.

**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 May 2, 2023 and will be further considered after a Public Hearing at the regular meeting of the Borough Council held on May 16, 2023 at 7:00 pm at 1097 Ocean Avenue, 3<sup>rd</sup> floor.

**Introduction:** Mayor Kelly to read the ordinance by title:

**CAPITAL ORDINANCE NO. 08-2023**  
**BOROUGH OF SEA BRIGHT**  
**AN ORDINANCE PROVIDING FUNDING FOR VARIOUS CAPITAL**  
**ACQUISITIONS AND IMPROVEMENTS FOR THE BOROUGH OF SEA BRIGHT**  
**AND APPROPRIATING \$180,000 FOR SUCH PURPOSE.**

Councilmember Keeler offered a motion to introduce Ordinance No. 08-2023 for a public hearing to be held on June 20, 2023 and advertise according to law; seconded by Councilmember Booker:

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

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA BRIGHT, IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The Borough of Sea Bright, in the County of Monmouth, New Jersey, authorizes for various capital acquisitions and improvements, including the acquisition of an automated patient stretcher system for the First Aid Squad, refurbishment of a fire engine for the Fire Department and to construct curbing in the Peninsula Parking Lot for the Borough of Sea Bright, to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$180,000 is hereby appropriated for the purposes stated in Section 1 of the Ordinance and which amount was funded from the Borough’s General Capital Fund Balance (surplus) in the amount of \$180,000.

**Section 3.** In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Sea Bright may lawfully make as a general improvement.

**Section 4.** All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

**Section 5.** This Ordinance shall take effect immediately upon due passage and publication according to law.

**INDIVIDUAL ACTION/New Business:**

**Vouchers: \$ 278,991.71**

Councilmember Booker offered a motion to approve the Voucher List dated May 16, 2023 as submitted by the Finance Manager; seconded by Councilmember Keeler:

<b>Roll Call:</b>	<b>Bieber,</b>	<b>Booker,</b>	<b>Catalano,</b>	<b>Gorman,</b>	<b>Keeler,</b>	<b>Lamia</b>
	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>
02113 AMERICAN WATER 23-00486 05/04/23 SEWER				Open		322.91
01241 BAIN'S HARDWARE, INC. 23-00536 05/12/23 HARDWARE				Open		548.63
2640 BATHGATE, WEGENER & WOLF 23-00521 05/11/23 LEGAL				Open		1,805.37
01957 BENEMAX BENEFIT MANAGEMENT CO. 23-00480 05/04/23 HEALTH INS.				Open		348.00
2472 BLAZE EMERGENCY EQUIPMENT CO. 23-00232 02/27/23 AMKUS Service				Open		1,254.50
01614 CENTRAL JERSEY REGISTRARS' ASSN 23-00531 05/11/23 CLERK				Open		60.00
00256 CLEARY, GIACOBBE, ALFIERI & 23-00494 05/05/23 LEGAL				Open		643.50
2880 CMB CONSTRUCTION CONSULTANTS 23-00487 05/04/23				Open		17,400.00
2843 COASTAL CAMERA NETWORK 23-00519 05/10/23 BEACH				Open		14.99
01493 COOPERATIVE INDUSTRIES, L.L.C. 23-00522 05/11/23 NATURAL GAS				Open		1,344.25
02253 DAVID HODER ASSOCIATES 23-00517 05/10/23 PLAN BRD				Open		1,040.00
01068 EDWARD J. ALBERT & SON, INC. 23-00450 04/26/23 Streets & Roads				Open		673.26
2826 ESO SOLUTIONS, INC. 23-00506 05/10/23 2023 ERS				Open		2,221.34
01720 FIREFIGHTER ONE, LLC 22-00987 08/29/22 FIRE DEPT.				Open		11,011.06
00575 GALLS, LLC 23-00369 03/31/23				Open		251.14
02101 GANNETT NJ NEWSPAPERS 23-00526 05/11/23 CLERK				Open		98.56
01887 HEIM ELECTRONICS, INC. 23-00455 04/26/23 Buildings & Grounds				Open		140.97
2478 HOLISTIC WELLNESS, LLC 23-00501 05/09/23 LIBRARY				Open		800.00
2791 HUDSON ENERGY SERVICES 23-00527 05/11/23 ELECTRIC				Open		182.22
00421 IIA-FIRE DEPT. TESTING SERVICE 23-00512 05/10/23 Additional Testing				Open		1,350.00
2561 INTRON TECHNOLOGY SOLUTIONS 23-00532 05/11/23 I.T.				Open		10,856.91
01419 J. SWANTON FUEL OIL CO., INC. 23-00504 05/10/23 GASOLINE				Open		696.64
01526 JCP & L 23-00492 05/04/23 ELECTRIC				Open		18,601.67

**REGULAR MEETING**

**MAY 16, 2023**

01784	JUNGLE LASERS, LLC		
23-00533	05/12/23 BLDG DEPT	Open	830.00
02110	KLEIN, DON		
23-00485	05/04/23 BEACH CHANGE FUND	Open	6,000.00
00444	LAWMEN SUPPLY CO OF NJ, INC.		
23-00409	04/13/23 POLICE	Open	1,146.38
2417	MARLIN BUSINESS BANK		
23-00483	05/04/23 LEASE	Open	120.10
2278	MCLAUGHLIN, STAUFFER & SHAKLEE		
23-00490	05/04/23 LEGAL	Open	7,831.60
00250	MIKULA, RICK		
23-00516	05/10/23 LIBRARY	Open	250.00
2878	MILLENNIUM STRATEGIES		
23-00481	05/04/23 ENGINEER	Open	650.00
2838	MOBILE PAYMENT PROCESSING SYS		
23-00520	05/10/23 PARKING	Open	67.00
00110	MONM CNTY REGIONAL HEALTH		
23-00484	05/04/23 HEALTH	Open	18,025.54
00688	MONMOUTH COUNTY POLICE ACADEMY		
23-00449	04/26/23	Open	50.00
01422	MONMOUTH MUNICIPAL JOINT		
23-00524	05/11/23 INSURANCE	Open	120,174.00
2883	MONTENEGRO, THOMPSON, MONTENEGRO		
23-00518	05/10/23 PLAN BRD	Open	1,558.00
00019	NJ AMERICAN WATER		
23-00523	05/11/23 WATER	Open	4,634.52
00012	NJ ASSOCIATION OF PLANNING &		
23-00477	05/03/23 PLAN.BRD	Open	100.00
01810	NJ DEPT OF HEALTH		
23-00489	05/04/23 ANIMAL	Open	2.40
00046	ONE CALL CONCEPTS, INC.		
23-00528	05/11/23 SEWER	Open	31.46
2881	PANDURI, CHRISTOPHER		
23-00499	05/09/23 POLICE	Open	1,275.00
2659	PIENCIAK, DANIEL		
23-00500	05/09/23 LIBRARY	Open	500.00
00164	RAIN, WILLIAM		
23-00482	05/04/23 HEALTH INS.	Open	161.10
2728	READY REFRESH BY NESTLE		
23-00530	05/11/23 SPRING WATER	Open	485.51
2745	REMINGTON & VERNICK ENGINEERS		
22-00904	08/11/22 ENGINEER	Open	658.04
01554	SEA BRIGHT SERVICE CENTER		
23-00381	04/11/23	Open	837.15
00027	SEABOARD WELDING SUPPLY, INC.		
23-00529	05/11/23 DPW	Open	18.50
01027	SHORE BUSINESS SOLUTIONS		
23-00363	03/29/23 POLICE	Open	5,905.00
2535	SUBURBAN DISPOSAL, INC.		
23-00495	05/09/23 TRASH	Open	21,773.54
23-00496	05/09/23 DUMPSTERS	Open	527.11
23-00497	05/09/23 LANDILL	Open	7,252.89
			-----
			29,553.54
2882	TURI, NICHOLAS		
23-00498	05/09/23 POLICE	Open	1,275.00
2658	VERIZON		
23-00535	05/12/23 PHONE	Open	69.32

**TOTAL: \$ 273,875.08**

**Manual Checks**

5/16/2023	VERIZON	\$88.99
23-00534	BEACH/LIBRARY:FIOS SERVICE	
5/11 23	WEX BANK-FLEET CARD	\$5,027.64
23-00525	GASOLINE:APRIL	

**TOTAL: \$ 5,116.63**

**GRAND TOTAL: \$ 278,991.71**

**MAYOR AND COUNCIL COMMENTS**

Mayor Kelly commented that the Fireman’s Fair was successful and everyone did a great job. There will be a public meeting on Thursday at 7:00pm with Highlands and Atlantic Highlands regarding regionalization. Hopefully all three towns will pass a resolution agreeing on the funding formula. Parking passes are available at the Police Department and paid parking is underway – Chief Friedman said there were a few kinks but everything is looking good - we are allowing the business parking passes in the municipal lot as the Church Street lot is not open yet. Mayor Kelly reported that the Memorial Day ceremony is set for May 29<sup>th</sup> and we are looking forward to a busy and safe summer in Sea Bright.

Councilman Lamia reported that he dropped off the 23 planters from along Ocean Avenue and will let DPW know when they will be ready to be picked up. Public Works dispersed the stones and striped the two gravel lots and we are ready to go.

Councilwoman Gorman thanked everyone who came out to volunteer for the Fireman’s Fair and said they are still doing inventory on the game booths and should have numbers soon.

Assistant Fire Chief Rivera reported that he will have a formal report on the Fair proceeds for the next workshop meeting and said the FD appreciates the Governing Body allowing them to hold the Fair and thanked everyone who came out to help.

Councilman Bieber reminded everyone that the parking violations are higher this year and he has been working with the Beach Team and the Police Department on smoking and dog enforcement on the beaches.

**REMARKS FROM THE AUDIENCE**

Brad O’Connor, resident, asked for an update on the bulkhead repair ordinance. Councilman Bieber explained that the Council and professionals have been working on a strategy to effectively move forward. They are looking for an appropriate technical solution, funding sources and are trying to coordinate a cohesive approach to battling our flooding issues. Councilman Bieber asked Mr. O’Connor to contact him directly for more information. Mr. O’Connor expressed his frustration as he is directly affected by a neighbor’s bulkhead and doesn’t feel we should give anyone a pass.

**EXECUTIVE SESSION**

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

**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.

<b>Roll Call:</b>	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 Booker:

<b>Roll Call:</b>	Bieber,	Booker,	Catalano,	Gorman,	Keeler,	Lamia
	Yes	Yes	Yes	Yes	Yes	Yes

Respectfully Submitted,

Christine Pfeiffer  
Borough Clerk