

**MINUTES
WORKSHOP MEETING
BOROUGH OF SEA BRIGHT**

DECEMBER 14, 2023 (Thursday)

SEA BRIGHT, NEW JERSEY

TO ATTEND THIS MEETING REMOTELY PLEASE USE THE FOLLOWING:

<https://meet.goto.com/882103165>

OR DIAL: (872) 240-3212

Access Code: 882-103-165

Mayor Kelly called the meeting to order at 8:30 a.m. and requested those present to join in the Pledge of Allegiance.

Mayor Kelly read the following Compliance Statement:

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

Good Morning Ladies and Gentlemen. This Meeting Is Now Called to Order: In Line With The Borough Of Sea Bright's Longstanding Policy Of Open Government, And In Compliance With The "Open Public Meetings Act" I Wish To Advise You That Adequate Notice Of This Regularly Scheduled Meeting Was Sent to the Asbury Park Press and other local newspapers on January 10, 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
Councilmember's Erwin Bieber, Jefferey M. Booker, Sr.,
Samuel A. Catalano, Heather Gorman, William J. Keeler, John M. Lamia, Jr.

OTHERS: Administrator Joseph L. Verruni, Attorney Roger McLaughlin,
Engineer Greg Blash, Clerk Christine Pfeiffer

REMARKS FROM THE AUDIENCE: (limited to 3 minutes)

The Public Comment portion of this meeting allows members of the audience to bring their concerns or comments to the Mayor and Council's attention. Pursuant to Borough Ordinance 3-2011, a member of the public who wishes to speak shall give his/her name and address for the record and may have up to three minutes to state his/her comments to the Mayor and Council as a Body. If additional time or information is requested, an appointment can be made with the Administrator's office during regular business hours.

No one wished to be heard.

ITEMS FOR DISCUSSION:

SUBJECT: Capital Projects Update
- Army Corp of Engineers update

ACTION: Councilman Bieber reported he participated in a meeting with the Army Corp of Engineers where they advised that based on current surveys, there will not be any upcoming sand replenishment in Sea Bright in this cycle – they are currently focusing on Monmouth Beach to Elberon. They will continue to monitor beach erosion in Sea Bright.

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

ORDINANCE NO. 17-2023

AN ORDINANCE VACATING PORTIONS OF CERTAIN STREETS KNOWN AS SOUTH STREET, RIVER STREET, FORMER BLOCK 13, LOT 17 AND AN UNNAMED STREET (POPPINGER PLACE) AND ACCEPTING THE DEDICATION OF CERTAIN STREETS KNOWN AS PROPOSED FRONT STREET AND PROPOSED BLOCK 13, LOT 4 IN THE BOROUGH OF SEA BRIGHT, COUNTY OF MONMOUTH

Councilmember Bieber offered a motion to introduce Ordinance No. 17-2023 for a public hearing to be held on December 28, 2023 and advertise according to law; seconded by Councilmember Keeler:

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

WHEREAS, Denholtz Acquisitions ("*Denholtz*"), is the owner of certain tracts and parcels of land shown and designated on the Official Tax Map of the Brough of Sea Bright (the "*Tax Map*") as Block 13, Lots 13-18, 20-22; Block 14, Lots 12 & 14; and Block 15, Lots 5-12 (collectively, the "*Project Site*"), for which Denholtz has received preliminary major subdivision approval and preliminary and final site plan approval for a mixed use residential development to be known as "Haven at Sea Bright" (the "*Project*") from the Borough of Sea Bright Planning Board; and

WHEREAS, portions of public streets known as South Street, River Street, Former Block 13, Lot 17 and an Unnamed Street (Poppinger Place) currently cross and bisect the Project Site as hereinafter more particularly described (the "*Subject Streets*"); and

WHEREAS, Denholtz has requested that the Borough of Sea Bright vacate those portions of the Subject Streets which currently cross and bisect the Project Site; and

WHEREAS, the Borough of Sea Bright Council has not accepted those portions of the Subject Streets for maintenance and the Borough of Sea Bright Council has determined that the Subject Streets are no longer desirable, necessary or required for Borough purposes, and that the public interest will be better served by releasing those lands or parts thereof under the Subject Streets from such dedication; and

WHEREAS, Denholtz has presented the descriptions of the Subject Streets which are annexed hereto as **Exhibit A**, which have been reviewed and approved by the Borough Engineer; and

WHEREAS, Denholtz has requested that the Borough of Sea Bright accept dedication of certain property within the Project Site (the "*Dedicated Property*"); and

WHEREAS, Denholtz has presented the descriptions of the Dedicated Property, which are annexed hereto as **Exhibit B**, which have been reviewed and approved by the Borough Engineer.

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

Section 1. The public rights arising from the dedication of the Subject Streets as described in **Exhibit A** annexed hereto are hereby released, extinguished and discharged from the said dedication, it being the intent and purpose of this Ordinance to vacate all of those portions of the Subject Streets as herein described and as shown on the Tax Map, and that any interests that the Borough of Sea Bright may have in said Subject Streets are no longer desirable, necessary or required for Borough purposes.

Section 2. The Borough of Sea Bright hereby accepts Denholtz dedication of the Dedication Property as described in **Exhibit A** thereby accepting all rights and responsibilities associated with the ownership of the Dedication Property.

Section 3. The Tax Map of the Borough of Sea Bright shall be immediately corrected by the Borough of Sea Bright Engineer and filed with the Board of Tax Assessors of the Borough of Sea Bright and the Clerk of Ocean County within 60 days of the adoption of this Ordinance.

Section 4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph subdivision, clause, or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

Section 5. All ordinances and parts of ordinances that are inconsistent with this Ordinance are superseded and repealed to the extent of any inconsistency.

Section 6. This Ordinance shall take effect upon passage and publication and as provided by law.

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 December 14, 2023 and will be further considered after a Public Hearing held on December 28, 2023 at the Municipal Building, 1097 Ocean Avenue, at 8:30 a.m.

Council moved to hold a Special Meeting on December 28, 2023 at 8:30am for a public hearing and further consideration on Ordinance No. 17-2023.

ITEMS FOR DISCUSSION CONTINUED:

- SUBJECT:** Capital Projects Update Continued
- School Regionalization Efficiency Program Grant
- RFP for Consultant for Feasibility Study

Administrator Verruni explained that we are looking to apply for the School Regionalization Efficiency Program Grant (formerly known as the Leap Grant) with the Highlands and Atlantic Highlands as well as going out for RFPs for a consultant for the review and update of our feasibility study. Resolutions will be prepared for the December 19th meeting.

Mr. Verruni stated that he had a meeting with Borough Engineer Greg Blash, Dave Bahrle and Rob Smith from Public Works Dave Bahrle to discuss the 2024 capital plan. Mr. Blash provided proposals for the relining of the Ocean Avenue downtown sewer line, (and a section in south beach split with Rumson) the pole barn on River Street, the new pump station at the redevelopment project, and streets that need to be addressed for upcoming road programs. Mr. Verruni spoke with CFO Michael Bascom after the meeting to discuss cost estimates and bonding that will need to take place in the new year to complete some of these items.

SUBJECT: TextMyGov Demo
ACTION: The TextMyGov demo will be rescheduled for the January 2024 workshop meeting.

SUBJECT: Public Safety & Public Works Updates
- Mutual Aid Agreement with Long Branch Fire Department
- Monmouth County MOU – Fire Chief

ACTION: Police Chief Friedman reported 355 calls for service for the month of November as well as various arrests and summons – he will provide a 2023 year-end report in January. Last month all the lifeguard/beach equipment was moved from the garages on South Street to a storage facility in Oceanport. Two Special Officers graduated the Monmouth County Police Academy last night which will bring us to three new special officers beginning next month. The department is now getting fuel from Long Branch for all vehicles. The department is in overall good shape looking into next year. Councilwoman Gorman asked if we can send out a Nixle alert to warn residents that there will be delays at the bridge.

Fire Chief Murphy reported 635 calls for service year to date. The department is getting ready for PEOSHA inspections in January and plans to kick off a recruitment program next month as well. They had their elections this week and will get the list over to the Clerk today for the Re-Org agenda. Chief Murphy explained that he is a Fire Coordinator for the County through the Monmouth County Sheriff's Office – since he utilizes the Borough vehicle when working for the County, they asked the Borough to sign a Memorandum of Understanding agreeing to supply three tanks of gas per month for use of the vehicle....Council agreed. Chief Murphy reported there was a fire in Sea Bright last week - Long Branch was dispatched and they sent us an invoice for the back-up staffing. The invoice was sent in error as we did not allocate funds for this year. We plan to have an agreement in place for 2024.

Deputy Fire Chief Charles Rivera stated that he is beginning to plan the Fireman's Fair but is having difficulty solidifying a date in May with the ride company and asked Council to consider moving the fair back a week. Mr. Verruni stated that it gets complicated because Public Works is gearing up for Memorial Day and paid parking begins May 15th. Mr. Rivera stated that we have a little time to decide but would like to start working on it as soon as possible – Council suggested dates in late September as well – Mr. Rivera will report back.

Deputy Director of Public Works, Rob Smith, reported the beach lockers have been removed from the beach. They plan to paint the lockers and rebuild some that are damaged. They are also looking into solutions for the rusting benches on the seawall and getting new trash cans throughout the town as some are getting old. They will also be clear coating the planters along the downtown so they do not rust – moving forward they will be properly maintained. Councilwoman Gorman clarified that we have funding available through Clean Communities to obtain new trash bins. Mr. Smith also reported that the trash rack at the River Street pump station has been fixed, we have new valves for the middle pump station that need to be installed, we are up to date with vehicle maintenance, and all of our equipment has been moved out of the South Street garages. He is also looking into a software program that will track projects and will assist with resident complaints.

SUBJECT: 2024 Borough Council Meeting Dates

ACTION: Mayor Kelly explained that Marc Leckstein will be back on Council next year and he has a professional conflict with Thursday morning workshop meetings and asked if Council would be in favor of moving workshop meetings to Wednesday mornings – Council agreed. Mr. Verruni recommended having only one regular meeting a month as we pay professionals to attend those meetings and feels we can accomplish regular business at one meeting and if necessary hold a special meeting. Council agreed to move forward with one regular meeting a month and move workshop meetings to Wednesdays. A resolution will be prepared for the Re-Org agenda.

SUBJECT: 2024 Summer Business Parking

ACTION: Mr. Verruni stated that we need to keep our eye on 2024 summer business parking solutions. Chief Friedman reported that we gave out 122 business parking passes in 2023 and noted most other towns do not provide business parking for employees. Mr. Verruni explained that it is counterproductive if they have to pay to park in the municipal lot because it will take away from the beach and restaurant visitors. Councilman Bieber suggested possibly looking into bussing private/borough employees in and out of town. Discussion will be continued at the next workshop.

SUBJECT: Communications Calendar/2024 at-a-glance

ACTION: Councilwoman Gorman explained that she created a calendar that includes every department's activities in the borough at a birds eye view – it will help overall with municipal planning and communications.

SUBJECT: Ocean Avenue Planters

ACTION: Mr. Verruni would like Deputy DPW Director Rob Smith to make sure we have funding available to redo the planters on Ocean Avenue and will work on optimal placement.

SUBJECT: Mural – Rec Center

ACTION: Councilwoman Gorman explained that we have received a few submissions for the mural at the rec center and is waiting for one more. She hopes to have the south exterior wall painted by the Spring. Once they receive all submissions, the Recreation Committee will make a recommendation to Council for final selection.

SUBJECT: Community Center Clean out and Use/Rental

ACTION: Councilwoman Gorman requested getting new easy to use foldable tables for the rec center as the ones that are currently there are heavy and difficult to move around. She also would like to evaluate the boxes of files in the closets to see what can be moved upstairs into the attic or shredded. Councilman Bieber stated that when he first came on Council he evaluated all of the Borough's files and feels that we have a good handle on what is there and what can be moved. Councilwoman Gorman wants to utilize the building in the most efficient way. Councilman Bieber will speak to the Senior's about relocating their meetings to the pavilion.

SUBJECT: Farmers' Market – Rec. Center

ACTION: Mr. Verruni requested that we require the vendors to have moving blankets underneath their tables to protect the floor in the gym. Councilwoman Gorman would like everyone to spread the word that the farmers market will now be held every Wednesday from 12pm – 6pm in the rec center. Mr. Verruni will work with Fire Marshall Tom Haege to review the requirements for the doors in the rec center and see what our options are for new locks.

SUBJECT: Solid Waste Ordinance

ACTION: Administrator Verruni reported we ran into a problem with someone putting out an extraordinary amount of bulk - Councilman Lamia has reviewed our solid waste ordinance and would like to amend the ordinance to include bulk pick up requirements. Surrounding towns have a limit to how much "bulk" each residence is allowed to put out – we don't have any limits. Councilman Lamia will bring recommendations to the January workshop meeting.

SUBJECT: Noise Ord

ACTION: Mr. Verruni stated that Council-Elect Leckstein feels we should appeal the court's decision on our noise/nuisance ordinance. Borough Attorney Roger McLaughlin explained the timeline of the appeal and said Council will have an opportunity in January to decide whether to appeal or not. Chief Friedman stated that the most recent noise complaints have not been difficult to enforce. This item will be listed on the January workshop meeting for further discussion.

SUBJECT: 2024 Borough Fees

ACTION: No changes were requested for 2024 Borough fees – a resolution will be prepared for the Re-Org meeting.

SUBJECT: Beach Badge Donation Requests

ACTION: Borough Clerk Christine Pfeiffer stated we have received several donation requests and asked Council if they are looking to set any guidelines for approving beach badge donations. At this time the Council will move forward with all the requests and a resolution will be prepared for the December 19th meeting.

SUBJECT: Rental of Peninsula Parking Lot – movie film crew – Rental Fee?

ACTION: Mayor Kelly explained that we received a request to utilize a portion of the Borough parking lot for a few days in January. Council agreed to allow them to utilize municipal property for a fee of \$2,500 and a resolution will be prepared for the December 19th meeting.

Attorney Roger McLaughlin will prepare a resolution for the December 19th meeting authorizing the sale of borough property adjacent to Block 22 Lot 4.01.

SUBJECT: Resolutions

1. Authorizing Hiring of Police Officers Designation of Special Law Enforcement Officers – Class II
2. Appointing Custodians of Records Sea Bright Police Department
3. Authorizing the Borough of Sea Bright through the Sea Bright Police Department to Participate in the Defense Logistics Agency, Law Enforcement Support Office, 1033 Program to Enable the Sea Bright Police Department to Request and Acquire Excess Department of Defense Equipment
4. Consideration of Award 1 Year Lease Agreement for Skim Board Camp
5. Authorizing Mayor to Sign Consent and Authorization for Freehold Soil Conservation District Haven at Sea Bright – Denholtz Acquisitions
6. 2024 Software Support and License Agreement with Edmunds & Associates, Inc.
7. Budget Transfers
8. Authorizing the Purchase of 2024 Ford F450 Dump Truck - Department of Public Works
9. Authorizing the Purchase of New Holland Tractor & Plow - Department of Public Works

ACTION: The above resolutions will be prepared for approval at the December 19th meeting.

EXECUTIVE SESSION:

Councilmember Bieber offered a motion to enter in to Closed Session; second 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. Legal
- 2. Real Estate

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

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

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

Respectfully submitted,

Christine Pfeiffer
Borough Clerk