

Seaside Park Borough Council

The Work Session of the Borough Council of the Borough of Seaside Park was called to order at 7:00 pm on Thursday, May 10, 2018 in the Borough Council Meeting Room located at Sixth & Centrals, Seaside Park. Mayor Matthies presiding.

Borough Deputy Clerk Martin read the following statement for inclusion in the meeting minutes:

“In accordance with the requirements of New Jersey’s Open Public Meetings Act, public notice of this meeting was included in the required Annual Meeting Notice which was filed in the Office of the Seaside Park Borough Clerk; posted on the Bulletin Board in the Municipal Building; and forwarded to the Asbury Park Press, the Star Ledger and to all persons requesting notice and providing self-addressed, postage-paid envelopes.”

Roll Call-

Present:

Robert Matthies, Mayor
Gail Coleman, Council President
Fritz McHugh
Faith Liguori
Ray Amabile
Matt DeMichele
William Kraft

Excused:

None

Also Attending: Steven Zabarsky, Esq., Borough Attorney
Sandra Martin, Deputy Clerk
Sandra Rice, Borough Administrator
Chief Larkin

Mayor Matthies asked all to stand for a moment of silence and led the Pledge of Allegiance remembering those who serve in the Armed Forces to protect our freedoms, and remember Shirley Beravka, John Wiley, and Andrew Kelly, who have passed.

Mayor Matthies announced that Deputy Sandra Martin is fulfilling statutory duties in Borough Clerk Karen Barna’s absence.

1. Discussion and public hearing for the Alcoholic Beverage Plenary Retail Consumption license renewal and expansion of premise for Park Pavilion LLC.
 - Jason Mandia representing Park Pavilion LLC, outlined the purpose of the expansion, and noted that the area was only for special events and receptions and will be fenced in- not an expansion of the “bar”area. In addition, Sand Bar hours were requested to be Sunday – Thursday 11am to 11pm, and Friday & Saturday, and holidays 11am to 12am.

Chief Larkin assigned an investigation:

- Detective AJ Mantz, did background check, followed the ABC format and concluded there were no reasons to deny or prohibit transfer going forward.

Borough Attorney, Steven Zabarsky:

- Borough Attorney, Steven Zabarsky recommended the expansion request go before the Planning Board again, because its approval is based off site plan dated 02/17/2017, which includes a structure (Building 6) in the area where they intend to have the expansion. Requirements would need to be reviewed whether approval can be made to transfer to sand. Concern emphasized that the approved site plan shows a structure to be built there. There is not a site plan permitting requested use for buffering, lighting, and music.

Mandia explained that there will be a structure there, but not until next summer.

Council Comments:

- Mr. DeMichele concerned that it will be open all day and used as an extension of the Sand Bar. Mandia responded that there will be a separate fence and it will only be used for separate special events.
- Mr. Amabile insists that it should go back to the planning board.
- Mr. DeMichele questioned whether it should. Ms. Coleman pointed out that it's not every day just during the specific events.
- Dr. McHugh expressed concern with the alcohol during the extended hours and that alcohol can very easily be passed over the fence. Furthermore, he has an issue with people's perceptions of the boardwalk from the parking lot.

Public Comments:

- Denise Koury, 33 6th Avenue, expressed concerned because expansion and place-to-place transfer being used interchangeably with particular concern regarding terms in the ABC manual, such as the boardwalk as a "public thoroughfare" bisecting the two properties and the license including the parking lot, as well as the idea of sand as a structure. In her interpretation of a place-to-place transfer, all the alcohol of the Sawmill has to be removed and used at the new area.

Mandia responded that an expansion is the same as a place-to-place transfer, and because it is an expansion of the property, and the alcohol does not have to be taken out and removed. Also noted that the boardwalk separating the two is a privately owned.

- Zabarsky- Cited a ruling that you can have two structures not connected, and it was ruled that you can be in control of two separate buildings.

- Allen Moglia of 45 O Street asked for clarification if the new area would be south of the Tiki Bar only and the setback of chair placement.

Mandia responded the new area would be south of the Tiki Bar and that there is no indication for the set back of chairs.

2. Council Discussion Items

- a. Park Pavilion- Renewal of ABC License 2018-2019 with extension of hours.
- b. Motion to approve hour extension of the Park Pavilion
 1. Motion made by Dr. McHugh, seconded by Ms. Liguori. All in favor, zero absent.
 - ii. Motion to table expansion of premises.
 1. Motion made by Mr. DeMichele, seconded by Ms. Coleman. All in favor zero absent.
- c. Restricted Parking
 - i. 41 Brighton Avenue, no action taken because it is serviced by the driveway.
 1. Motion made by Ms. Coleman, seconded by Ms. Liguori. All in favor, zero absent.
 - ii. Motion to approve restricted parking for 20 2nd Avenue, west of driveway to give buffer

1. Motion made by Mr. Amabile, seconded by Dr. McHugh. All in favor, zero absent.
- d. Central Regional “Leadership Class” beach sweep on May 20th
 1. Motion made by Ms. Coleman, seconded by Mr. DeMichele. All in favor, zero absent.
- e. Ice Cream Bid
 - i. Shore Ice Cream LLC asked if they could also sell bug spray and suntan lotion. Zabarsky, said if they did, they would have to go back out to bid because it was not included in the bid specs.
 - ii. Motion to accept ice cream bid, denying request to sell suntan lotion and bug spray
 1. Motion by Mr. DeMichele, seconded by Ms. Coleman. All in favor, zero absent.
3. Use of Facilities
 - a. Council Comments
 - i. Beach fees waived for the POAC event
 - ii. 4x4 fees waived for fishing tournament as per 2017 resolution
 - iii. Dr. McHugh asked why the Judges and Law Clerks Softball game did not require insurance. Deputy Clerk Martin noted that they requested not to provide insurance. Borough Attorney Zabarsky noted that they must sign the hold harmless agreement, and that they’re not an organization, and will not sue.
 - iv. Motion to approve Use of Facilities
 1. Motion by Mr. Demichele, seconded by Mr. Amabile. All in favor, zero absent.

4. Council Report:

Ray Amabile-Nothing to report, just came back from vacation. Attending Planning Board meeting tomorrow. Mention the Plants and Soil event held by the Environmental Committee on May 20th 7:00 pm.

Faith Liguori- Wanted to thank everyone from the garden club for doing our flower beds. Discussed current projects regarding tennis and basketball courts, as well as the baseball field. Landscaping and work done to remove rebar at the marina were discussed. In regards to beach and boardwalk, the initial pushout of the entrances was done on Friday, sand is being graded, and additional areas are being dugout between the boardwalk and the dunes. First to Second Avenues have been redecked, while Second to Third Avenues are on hold. Will be rolling out beach mats in a few weeks. The beach bathrooms will be open on weekends unless there is a rainout. The garbage truck is in horrendous shape and will be on the next agenda for discussion. A few residents have raised concerns about the lighting when they leave these meetings. Eric said that the electrician was off this week, but will discuss with him when he is back about combining the projects of the lighting out front and the electrical issues in the police department. Also mentioned CRS meeting regarding insurance discounts and the community meeting June 22nd.

Gail Coleman- Chief will report on Rodgers testing. Lt. Boag working with Sheriff's Dept. regarding the Spellman System. The System will allow our department to communicate with other departments in Ocean as well as Monmouth County. There is an expense associated with migrating data from current system to the Spellman System. 88 parking tickets in April equating a \$20,000 revenue. Chief will give report on Rodgers testing.

Chief Larkin- Kiosks working terrific. Ticket numbers are down because it's easier to use. Good for tourism and visitors. In regards to the Spellman System, Lt. Boag is working with OC Sheriff's Dept. We have data on the old system that we need to retain, so we need to migrate it to the new system. It will take a while with the IT process and does come with an expense. As for the Rodger's testing, the Rodger's Group does specialized testing. We receive information from the state and test twice a year to ensure that there is a transfer of knowledge. The Rodger's Group makes up a test and is a leader in accreditation, and it's a third party test.

Administrator Rice- To add to the discussion of the Rodger's group, 100 or more towns use this training module. The cost is roughly \$5500 for the package.

William Kraft- Pumpouts grant in limbo at this point. Put in for final approval for purchase of station. Grantor has to authorize when we can start the work.

DeMichele- Reported that last year at this time, we sold \$85,000 worth of beach badges, and we are currently over \$114,000. Thanked staff for cleaning up the bay and reported on other events in town such as the Farmer's Market, Senior Luncheon, and Tri-Boro's Merry May dinner.

Dr. Fritz McHugh- Discussed the reason for delay of paving was regarding a JCP&L pole. He also discussed the natural gas line being installed at the Yacht Club.

Mayor Matthies-Announced community events such as the Ocean County Community Job Fair on May 17th and Jersey Shore Partnership annual celebration in June supporting clean oceans. Discussed the annual New Jersey Conference of Mayors meeting concerning marijuana and nanobreweries. Thanked Council President Coleman for presiding in absence. Also discussed the Board of Education meeting and bid for purchase of the school real estate.

5. Public Comment

No public comment

6. Ordinance Introduction

No Ordinance introduction

7. Resolutions

Added 173- approving renewal of ABC license with conditions to Park Pavilion and
175-award bid of beach vending ice cream

a. 2018-160-Bill List for period of April 27-May 10, 2018

- i. Dr. McHugh asked about the Marine Rescue expense. Sandy noted it was for Beach Patrol.
- ii. Motion made by Ms. Liguori, seconded by Mr. Kraft.
- iii. Roll Call- All in favor, zero absent.

b. 2018-161-Authorizing Mayor & Council to enter Closed Executive Session: Pending Litigation

- i. Motion made by Mr. DeMichele, seconded by Mr. Amabile
- ii. Roll Call- All in favor, zero absent

c. 2018-162-Special Labor Counsel- Cleary & Giacobbe & Alfieri & Jacobs LLC

- i. Motion made by Mr. Kraft and Mr. DeMichele
- ii. Roll Call-All in favor, zero absent

- d. 2018-173 Grant Renewal License
 - i. Motion made by Dr. McHugh, seconded by Mr. Amabile
 - ii. Roll Call-All in favor, zero absent
- e. 2018-175 Awarding bid for beach vending of ice cream for 2018
 - i. Motion made by Mr. DeMichele, seconded by Mr. Amabile
 - ii. Roll Call- All in favor, zero absent

8. Consent Agenda

- 2018- 163 Resolution appointing Timothy Slickers to the full-time position of Police Officer.
- 2018- 164 Resolution appointing Seasonal Beach Control Staff
- 2018- 165 Resolution appointing Seasonal Beach Patrol Employee
- 2018- 166 Resolution appointing Special Law Enforcement Class I Officers
- 2018- 167 Resolution appointing Special Law Enforcement Class II Officers
- 2018-168 Resolution appointing Floodplain Manager
- 2018-169 Resolution appointing Seasonal Department of Public Works Employee
- 2018-170 Resolution authorizing adjustment of Water & Sewer Utility account Blk 4/Lot 4
- 2018-171 Resolution authorizing adjustment of Water & Sewer Utility account Blk 74.01/ Lot 31
- 2018- 172 Resolution appointing contract of engineering & inspection services CDBG Grant

Motion made by Mr. Amabile, seconded by Mrs. Coleman

Roll-Call: All in favor, zero absent

Public Comment:

- Regarding 2018-168 Appointing floodplain manager, Pat DeGutis noted that she was under the impression that we had one through Shared Service Agreement
- Dr. McHugh said it should be amended to floodplain manager alternate.
- Administrator Rice noted that we are not hiring, just acknowledging as an alternate if we need to use her in Seaside Park to review floodplain plans.

Council Comment:

- Dr. McHugh and Mrs. Coleman Gail note that Officer Slickers is a welcome addition and a well-deserved raise, proud of how he conducts himself.

Public Comment:

- DePalma of 200 N Street raised concerns regarding sidewalk repair. Claims that construction vehicles damaged sidewalk.
 - o Dr. McHugh responded that the Public Works has footage of the sidewalks prior to Super Storm Sandy and there were cracks in the sidewalk prior to the storm.
 - o Administrator Sandy Rice reiterated that she reviewed footage with Eric of Public Works that there were cracks prior to the storm, but she could certainly look into it
- Allan Moglia 145 N Street said that the previous Borough Administrator had told them that the sidewalks would be redone with the excess money in the grant
 - o *Administrator/CFO Sandy Rice said that the grant money had been expended*
- Pat Degutis of Stockton Avenue was concerned with the transparency of the Borough because of the format of the agenda and it not being posted on the website
- Mr. Miller of Lake Avenue, regarding N St. sidewalks, noted that when they were originally doing the bulkhead, the gentleman said they'd come back, and that it would be redone, and they never came back. Thanked Eric and the Public Works guys for cleaning up, but there's still a lot of debris and broken pipes on O St.
 - o Mayor noted that they would stay vigilant on the matter and will share evidence as it is acquired. Acknowledged letter from Richard Bennanger

Adjournment