

**MINUTES - REGULAR MEETING
BOROUGH OF SEA GIRT COUNCIL
April 8, 2015**

The Regular Meeting of the Borough of Sea Girt Council was called to order by Mayor Ken Farrell at 7:30 PM on Wednesday, April 8, 2015 at the Sea Girt Elementary School, Bell Place, Sea Girt. The Mayor led those in attendance in the Pledge of Allegiance.

The Clerk announced that this meeting is called pursuant to the provisions of the Open Public Meetings Act, C. 231, P.L.1975: adequate notice of this meeting has been given by posting a notice on the Borough's official bulletin board and by transmitting a copy of the Notice to the Borough's two official newspapers, the *Asbury Park Press* and the *Coast Star* as required by law.

Roll Call:

	Present	Absent
Mayor Farrell	X	
Councilman Foley		X
Councilman Buonocore	X	
Councilwoman Morris	X	
Council President Fetzer	X	
Councilman Mulroy	X	
Councilman Rotolo		X

1. **PUBLIC PARTICIPATION ON ANY CONSENT AGENDA ITEM:** There were no comments from the public present.
2. **CONSENT AGENDA - UPON MOTION**, of Councilperson Buonocore, seconded, by, Councilperson Mulroy, carried, that the following Resolution be and the same is hereby adopted:

A. **Resolution No. 57-2015:** Authorizing a 50/50 off-premise raffle license for the Sea Girt Holly Club

WHEREAS, Holly Club of Sea Girt, has made application to Council for a raffles license to conduct an off-premise draw raffle at the Sea Girt Lighthouse on May 17, 2015 at 4:00 pm; and

WHEREAS, the above is being conducted in accordance with Findings and Determinations of the verifying officer.

NOW, THEREFORE, BE IT RESOLVED, that the license requested be granted.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo			X	

3. APPROVE MINUTES

A. **Resolution No. 58-2015:** Approve Minutes, March 25, 2015 Regular Meeting

UPON MOTION of Council President Fetzer, seconded by Councilperson Buonocore, carried, that the Minutes of the Regular Meeting held March 25, 2015 be and the same are hereby adopted as presented.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy				X
Councilman Rotolo			X	

4. **OPEN DISCUSSION:** Mayor Farrell recognized Police Officers Emmitt Smith and William Kelly of the Spring Lake Police Department who rescued an individual whose boat had capsized in Spring Lake. Officer Smith is also a Sea Girt Lifeguard.

5. **OLD BUSINESS**

A. 2015 Municipal Budget – public hearing/adoption

- a. COLA has been calculated at 2.5%;
 - b. Ordinance No. 01-2015 – authorizes 3.5% increase and allows CAP banking; banking is not permitted without the adoption of the Ordinance; adopted on January 28, 2015;
 - c. 2015 proposed budget within 3.5% appropriations CAP;
 - d. the proposed budget is within the 2% Levy CAP;
 - e. revenue projections – State aid will remain flat for 2015;
 - f. both the tax levy and tax rate are reduced: the levy to \$5,048,518 (from \$5,089,416) and the rate: \$0.253 (from \$0.255); please note that this is the preliminary rate, the final rate will be lower once the new net value taxable is certified by the County on or about May 5, 2015 at the conclusion of the 2015 appeal process for all Monmouth County municipalities;
 - g. Affidavit of Publication certifying publication of the 2015 Budget Summary on March 19, 2015 is on file in the Municipal Clerk's office;
 - h. The recalculation of the 2014 surplus balance at the end of 2014 shows a balance of \$1,871,517.90, with a usable surplus balance of \$1,696,435.00; after reduction for the 2015 surplus anticipated the remaining usable balance is \$1,190,531.17.
- A. **Resolution No. 59-2015:** certification by the Municipal Clerk that a copy of the Budget has been available for public review in the Municipal Office since March 11, 2015; and authorization to read said Budget by Title only.

UPON MOTION of Councilperson Morris, seconded by Council President Fetzer, carried, that the following Resolution be and the same is hereby adopted:

NOW, THEREFORE, BE IT RESOLVED that I, Lorraine P. Carafa, Clerk of the Borough of Sea Girt, do hereby certify that the 2015 Approved Budget of the Borough of Sea Girt has been available

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for public review in the Municipal Office since March 12, 2015, and available on the Borough of Sea Girt website, www.seagirtboro.com, since March 18, 2015.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo			X	

UPON MOTION of Councilperson Buonocore, seconded by Councilperson Fetzer, carried, that the meeting be opened to the public for comments on the said Budget only. There were no comments from the public present, and **UPON MOTION** of Councilperson Fetzer, seconded by Councilperson Mulroy, carried, the public hearing was closed.

B. The Division of Local Government Services is requiring an amendment to the Budget as follows:

1. Surplus anticipated is increased to \$505,903.83 from \$499,448.17 (an increase of \$6,455.66) due to a reduction of anticipated revenue from FEMA to \$34,286 from \$40,751.66;
2. An increase in the inside the cap appropriation for Employee Health Benefits offset by an equivalent decrease in the outside the cap appropriation for the same purpose (difference of \$13,360);
3. There are no changes to the total budget or the amount to be raised by taxation.

C. Resolution No. 60-2015: To amend the 2015 Municipal Budget

UPON MOTION of Councilperson Buonocore, seconded by Council President Fetzer, carried, that the following Resolution be and the same is hereby adopted:

WHEREAS, the local budget for the year 2015 was approved on March 11, 2015; and,

WHEREAS, the public hearing on said budget has been held as advertised; and,

WHEREAS, it is desired to amend the said approved budget.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Sea Girt, Monmouth County, that the following amendments to the approved budget of 2015 be made:

Current Fund Budget, Summary of Revenues:

	FROM	TO
1. Surplus Anticipated	\$ 499,448.17	\$ 505,903.83
3. Section G: Special Items of Revenue Anticipated with Prior Written Consent of the Director, DLGS – Other Special Items:		

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FEMA Superstorm Sandy	\$ 40,741.66	\$ 34,286.00
Total Section G: Special Items of Revenue Anticipated with Consent of the Director, DLGS – Other Special Items:	\$ 92,951.66	\$ 86,486.00
3. Total Miscellaneous Revenue	\$ 548,407.11	\$ 541,951.45
7. Total General Revenue	\$6,221,373.77	\$6,221,373.77
8. General Appropriations:		
(A) Operations within “CAPS”		
Employee Group Insurance-Other Expense	\$ 558,640.00	\$ 572,000.00
Total Operations {[Item 8(A)} Within “CAPS”	\$4,272,598.67	\$4,285,598.87
Total Operations including Contingent Within “CAPS”	\$4,282,598.67	\$4,295,598.67
(A) Operations excluded from “CAPS”		
Employee Group Insurance	\$ 16,360.00	\$ 3,000.00
Total Other Operations –Excluded from “CAPS”	\$ 17,360.00	\$ 4,000.00
Total Operations Excluded from “CAPS”	\$ 302,059.08	\$ 288,699.08
(H-2) Total General Operations for Municipal Purposes Excluded from “CAPS”	\$ 948,058.35	\$ 934,698.35
(O) Total General Appropriations Excluded from “CAPS”	\$ 948,058.35	\$ 934,698.35
(L) Subtotal General Appropriations – Items {(H-1) and (O)}	\$5,904,472.02	\$5,904,472.02
(M) Reserve for Uncollected Taxes	\$ 316,901.75	\$ 316,901.75
9. Total General Appropriations	\$6,221.373.77	\$6,221,373.77

BE IT FURTHER RESOLVED that three certified copies of this Resolution shall be filed in the Office of the Director of Local Government Services for his certification of the 2015 Local Municipal Budget so amended.

IT IS HEREBY CERTIFIED that the Amended Budget hereto and hereby made a part hereof is a true copy of the Amended Budget approved by Resolution of the Governing Body on the 8th day of April, 2015.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo			X	

D. **Resolution No. 61--2015:** To adopt the 2015 Municipal Budget, as amended

UPON MOTION of Councilperson Mulroy, seconded by Council President Fetzer, carried, that the following Resolution be and the same is hereby adopted:

BE IT RESOLVED by the Borough Council of the Borough of Sea Girt, County of Monmouth, that the budget hereinbefore set forth as appropriations, and the authorization of the amount of \$5,048,518.49 for municipal purposes, be and the same is hereby approved.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo			X	

6. NEW BUSINESS

A. **Resolution No. 64-2015:** Seasonal Liquor License Renewal, Avon Hotel Corp. t/a The Parker House (with conditions) – public hearing/adoption

UPON MOTION of Councilperson Buonocore, seconded by Council President Fetzer, carried, that the meeting be opened to the public for comments on the said license renewal only. Attorney Nick Montenegro swore in Chief Davenport. Chief Davenport commented that he and Borough Administrator Lorraine Carafa met with Parker House management recently to discuss preparations for the 2015 season. He noted that he enjoys the dialogue and cooperation from the Parker House. Chief Davenport provided statistical reports comparing calls from the last two operating seasons, 2014 and 2014; he noted that the numbers were higher in 2014, due to the flawless weather that resulted in higher attendance leading to increased violations. The Chief asked The Parker House to eliminate Friday night beer specials in 2015 that he feels can reduce public intoxication, however, the Parker House declined to eliminate them completely, agreeing to eliminate them on the Friday of each holiday weekend – Memorial Day, July 4 and Labor Day. He noted that Sea Girt Police Officers will continue to work hard for residents of Sea Girt to preserve their quality of life and protect them during the upcoming summer season.

Council President Fetzer asked to Chief Davenport to provide some details to the information included in the reports.

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2013	Calls for service
Friday night's	38
Saturday	19
Sunday	21
Monday	02
2014	Calls for service
Friday nights	71
Saturday	57
Sunday	23
Monday	04

Motor vehicle stops in 2013: 63. Motor vehicle stops in 2014: 159

Councilperson Mulroy asked if same number of officers work on Friday and Saturdays during 2013 vs. 2014. The Chief responded that more officers were on Friday night duty in 2014. He also noted that with 1,200 people on the premises there will be some incidents. The Parker House does a good job with enforcing under aged drinking, overcrowding and disorderly person.

Mike Rubino, Attorney for the Parker House, advised the Chief that the Parker House agrees that they also have a good relationship with the Police Department. Mr. Rubino noted that Parker House management sees the Friday night, 6-9 pm group leave when the specials end and a new group of patrons comes in, so there is not continuous service to patrons. He asked if the Chief conducted a further breakdown of the incidents during various time periods. Mr. Rubino stated that the Licensee offers other specials and the management feels that there is no correlation between Friday \$1.00 beer specials and later problems. Attorney Montenegro marked Chief's report as C1- in evidence.

The Borough Attorney swore in each person prior to their initial comment. The following individuals were in opposition to renewing the Seasonal Liquor License for Avon Hotel Corp. t/a The Parker House without additional conditions to preserve the quality of life for residents living near the licensed premises: Tess Manly of Ocean Avenue, Christine Dun of Beacon Blvd., Candice Kadimik of Beacon Blvd., and Alexander Ruiter of Beacon Blvd.

The following individuals were in support of renewing the seasonal license of the Parker House: Diane Raver of Chicago Blvd., David Hyde of Chicago Blvd., Joe Tocket of Fifth Avenue, Rich Aldridge of Wall Twp., Maryann Bogan of Beacon Blvd., Ken Leppard of Spring Lake Heights, Peter Fittin, and Maggie Bossett of Chicago Blvd.

Mr. Rubino questioned Mr. Sophia, manager of the Parker House, regarding the complaints that were received last year from near-by residents, and asked how the management planned to respond to these complaints. Mr. Sophia reiterated that the management will eliminate \$1.00 beer specials on the Friday evenings of holiday weekends, they plan to install plexiglass over the windows on the west side of the structure and will add a door with plexiglass enclosure on the west side of the structure to minimize noise and will continue to monitor and control the number of persons on the premises to eliminate overcrowding. He also stated that the Licensee shall provide sufficient staff to conduct clean-up and trash removal within a four block radius of the licensed premises daily at closing and again prior to morning opening and finally, that all bartenders and spotters will be trained to identify intoxicated patrons and that those persons will not be served. The Borough Attorney asked if the Parker House would agree to add these items as additional conditions to the renewing resolution; Mr. Sophia replied that they would.

There were some additional brief comments from Chief Davenport and UPON MOTION of Councilperson Buonocore, seconded by Councilperson Morris, carried, the public hearing was closed at 9:30 PM.

Councilperson Mulroy commented it is a business decision and additional police presence is something to consider; he is sympathetic to quality of life complaints of nearby residents and noted that the Parker House and Beacon House are both great establishments.

Council President Fetzer thanked everyone for offering their opinions. He hopes the additional conditions improve the quality of life of residents and urged that there be continued open dialogue among the parties. He also suggest that the limitation on the \$1.00 Friday night beer specials could be revised if Chief feels it is a contributing factor.

Councilperson Morris also thanked everyone for attending tonight and expressing their concerns. She noted that the Police work very hard to maintain the quality of life that residents expect in the Borough, and that the Parker House would have to work just as hard to ensure that they are being a good neighbor.

Councilperson Buonocore thanked everyone for attending. He trusts residents and the Parker House can be good neighbors as long as everyone follows the stipulations within the Ordinances and resolution.

Mayor Farrell thanked everyone for attending and expressing their feedback. He encourages everyone to work together for a successful community.

UPON MOTION of Councilperson Buonocore, seconded by Councilperson Mulroy, carried, that the following Resolution be and the same is hereby adopted:

WHEREAS, Avon Hotel Corporation, t/a The Parker House, is the holder of a summer retail consumption liquor license bearing State Identification Number 1344-34-006-003; and

WHEREAS, said Licensee has applied to the Mayor and Council of the Borough of Sea Girt for the renewal of said license and has paid the required Borough fee of \$1,875.00 and submitted the required State fee of \$200.00; and,

WHEREAS, the Parker House is located in the District 1 Single Family Residential Zones, as shown as on the Sea Girt Zoning Map; and,

WHEREAS, the Borough Council, after public hearing thereon on said application for renewal, and it appearing to the Council that the abuses which have given to rise to the imposition of conditions on April 29, 1980 have recurred; and,

WHEREAS, *N.J.S.A.* 33:1-32 permits local issuing authorities to impose conditions to the issuance or renewal of any liquor licenses, which conditions are deemed necessary and proper to accomplish the objects of the alcoholic beverage control law; and,

WHEREAS, the Council of the Borough of Sea Girt finds that the aforesaid seasonal retail consumption liquor license should not be renewed except upon certain conditions, which are found to be

necessary and proper to secure compliance with the provisions of the alcoholic beverage control law and Borough Ordinances and to eliminate the disturbing and disorderly conduct of applicant's patrons.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt that the Summer Retail Consumption License of Avon Hotel Corporation, t/a The Parker House, 8-12 Beacon Blvd., Sea Girt be and the same is hereby renewed for the period of May 1 to November 14, 2015, subject to the following conditions:

1. Alcoholic beverage service and consumption on the porch cannot exceed the occupancy levels set by the State Fire Inspector for the porch area: 60 occupants when tables and chairs are present, 141 maximum when no tables and chairs are present; service shall cease at 11:30pm on the porch area.
2. None of the Licensee's employees shall consume alcoholic beverages while on duty.
3. The Licensee shall not permit overcrowding, violence, public nuisance, undue noise, harassment or disorderly conduct in or about the licensed premises.
4. The Licensee shall not sell, serve or deliver or allow, permit or suffer the sale, service or delivery of any alcoholic beverage, directly or indirectly, to any person actually or apparently intoxicated or permit or suffer the consumption of any alcoholic beverage by any such person in or upon the licensed premises.
5. The Licensee shall provide a formal plan describing the procedures and methods used to control building public area occupancy within ten (10 days) of the adoption of this resolution.
6. Licensee shall strictly comply with requirements of all Borough ordinances, alcoholic beverage control regulations and State Laws.
7. Licensee shall prevent patrons from taking any opened beverages or containers from the licensed premises.
8. After 6:00 P. M., Licensee shall employ a sufficient number of floor men who shall enforce orderly conduct and compliance with the conditions contained herein.
9. Patrons waiting outside the premises for admission shall be required to wait in single line, quietly and in an orderly fashion consistent with the residential character of the neighborhood. This condition shall be enforced by employees of the licensed establishment.
10. Licensee shall maximize the use of its parking lot for patrons awaiting entrance to the premises by establishing a single-file line in a zig-zag formation in the lot.
11. The Licensee shall reimburse the Borough of Sea Girt for all additional police manning to the area of the licensed premises during the 2015 season. The amount to be deposited in escrow shall be \$15,000.00 on May 1st, 2015, \$15,000.00 on June 1st, 2015, \$15,000.00 on July 1st, 2015 and \$15,000.00 on August 1st, 2015. Reconciliation of costs versus actual payroll plus reasonable expenses shall be performed by the Chief Financial Officer of the Borough of Sea Girt by October 30, 2015 at which time any additional monies due will be invoiced to the Licensee and paid before close of business December 15, 2015 or refunded as necessary. A final accounting shall be reported to the Borough Administrator.

BE IT FURTHER RESOLVED that the Licensee has agreed, as of April 8, 2015, that the following new conditions shall be imposed upon the seasonal retail consumption license #1344-34-006-003:

12. The Licensee shall install plexiglass over windows on the west side of the lower level of the licensed premises.

13. The Licensee shall reconfigure the west side, lower level entry to add a door to create a double-door system with a plexiglass enclosure to minimize noise.
14. The Licensee shall provide sufficient staff to conduct clean-up and trash removal within a four block radius of the licensed premises daily at closing and again prior to morning opening.
15. Bartenders and spotters will be trained to identify intoxicated patrons and the Licensee shall not continue to sell, serve or deliver or allow, permit or suffer the sale, service or delivery of any alcoholic beverage, directly or indirectly, to any person actually or apparently intoxicated or permit or suffer the consumption of any alcoholic beverage by any such person in or upon the licensed premises.
16. The Licensee shall neither advertise nor offer for sale "\$1.00 beer specials" on Friday evenings of holiday weekends, i.e., Memorial Day, July 4th and Labor Day.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo			X	

- B. Resolution No. 62-2015:** Award a non-fair and open contract for Bond Counsel services to Kerry Morgan of the firm Davison, Eastman & Munoz, PA

UPON MOTION of Council President Fetzer, seconded by Councilperson Mulroy, carried, that the following Resolution be and the same is hereby adopted:

WHEREAS, the Borough of Sea Girt has a need to acquire services for a Bond Counsel, as a not-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5; and

WHEREAS, the anticipated term of this contract is one year and may be extended as many times as approved by this governing body; and

WHEREAS, Kerry Morgan of the firm Davison, Eastman & Munoz, P.A. has submitted a proposal dated April 1, 2015 indicating they will provide said services and have provided a Business Entity Disclosure Certification which certifies that each has not made any reportable contribution to a political or candidate committee in the Borough of Sea Girt in the previous one year, and that the contract will prohibit each entity from making any reportable contribution through the term of the contract; and

WHEREAS, with regards to Affirmative Action, incorporated into such agreement shall be the mandatory language of Section 5.3 of the regulations promulgated by the Treasurer of the State of New Jersey pursuant to P.L. 1975, and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose.

NOW THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Sea Girt authorizes the Mayor and Municipal Clerk to enter into a contract with Kerry Morgan of the firm Davison, Eastman & Munoz, LLC as described herein.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published as required by law within ten (10) days of its passage.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo			X	

C. Resolution No. 63-2015: Award a non-fair and open contract to Realty Data Systems, LLC for real property data collection and verification services pursuant to the Monmouth County Assessment Demonstration Program

UPON MOTION of Council President Fetzer, seconded by Councilperson Mulroy, carried, that the following Resolution be and the same is hereby adopted:

WHEREAS, the Borough of Sea Girt has a need for a firm to provide the services necessary for the collection and verification of all data of real properties situated within the confines of the Borough of Sea Girt, as a not-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 and in conjunction with the Real Property Assessment Demonstration Program (P.L.2013, c.15)

WHEREAS, the anticipated term of this contract is three years with the option of two (2) one-year extensions pursuant to the Real Property Assessment Demonstration Program (P.L.2014, c.15);

WHEREAS, Realty Data Systems, LLC of Shrewsbury, NJ has submitted the proposal to perform said services pursuant to the Real Property Assessment Demonstration Program (P.L.2014, c.15); and,

WHEREAS, the annual estimated cost of this contract is \$6,500 and Chief Financial Officer has certified that funds are available for this purpose in the 2015 budget, as amended and adopted and that provision for the appropriation of these funds shall be made in the two successive budgets of the Borough and in each of the extensions authorized.

NOW THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Sea Girt authorizes the Mayor and Borough Clerk to enter into a contract with the firm as described herein.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published as required by law within ten (10) days of its passage.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo			X	

D. Resolution No. 65-2015: Appoint Class I Special Law Enforcement Officers at \$10.00/hour, May 1, through December 31, 2015, inclusive:

UPON MOTION of Councilperson Morris, seconded by Councilperson Buonocore, carried, that the following Resolution be and the same is hereby adopted:

WHEREAS, the Borough of Sea Girt Police Department is in need of the services of six (6) Class I Special Law Enforcement Officers for the period May 1 through December 31, 2015, inclusive; and,

WHEREAS, the Chief of the Sea Girt Police Department has recommended the following persons for these positions:

1. Thomas Eldershaw
2. Casey Furey
3. Steven Haines
4. Thomas Ridoux
5. Craig Singer
6. Valerie Walker

NOW, THEREFORE, BE IT RESOLVED that Thomas Eldershaw, Casey Furey, Steven Haines, Thomas Ridoux, Craig Singer and Valerie Walker, be appointed as Class I Special Law Enforcement Officers for the period May 1 through December 31, 2015, inclusive, at the hourly rate of \$10.00 per hour.

BE IT FURTHER RESOLVED that a certified copy this Resolution shall be supplied to Chief Davenport and the Chief Financial Officer for her action.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo			X	

E. Resolution No. 66-2015: Patock Construction Company v. Borough of Sea Girt (total settlement amount: \$215,216.66; payment approval requested, \$25,243.74);

UPON MOTION of Council President Fetzer, seconded by Councilperson Mulroy, carried, that the following Resolution be and the same is hereby adopted:

WHEREAS, the Borough of Sea Girt (hereafter “Borough”) was engaged in litigation with the Patock Construction Company (hereafter “Patock”) resulting from issues associated with the project known as the Improvements to the Borough of Sea Girt Water Treatment Plant; and,

WHEREAS, after due consideration and discussion among Council members and the Borough Attorney during Executive Sessions held during the period of on-going litigation, the parties have agreed to settle all claims, injuries and damages arising out of the contract between Patock Construction Company and the Borough of Sea Girt known as contract 2009-1 which is dated September 8, 2010; and

WHEREAS, the Borough shall pay Patock the total amount of \$215,216.66 in full settlement of the above-noted action and Patock agrees to indemnify and hold the Borough harmless from any and all claims of subcontractors for any balances due.

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Sea Girt authorizes the payment of \$215,216.66 in settlement of all claims arising from the contract between the Patock and the Borough.

BE IT FURTHER RESOLVED that the final payment of \$25,243.74 be and the same is hereby authorized.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo			X	

F. Resolution No. 67-2015: Authorize Seasonal Beach Badge (2) Donation to Holly Club

UPON MOTION of Councilperson Morris, seconded by Councilperson Buonocore, carried, that the following Resolution be and the same is hereby adopted:

WHEREAS, Holly Club of Sea Girt, has made application to Council for a raffles license to conduct an off-premise draw raffle at the Sea Girt Lighthouse on May 17, 2015 at 4:00 pm; and

WHEREAS, the above is being conducted in accordance with Findings and Determinations of the verifying officer.

NOW, THEREFORE, BE IT RESOLVED, that the license requested be granted.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo			X	

G. Resolution No. 68-2015: Appoint seasonal gardener, maximum 25 hours/week, \$15.00/hour
– Jane Hunnewell

UPON MOTION of Councilperson Buonocore, seconded by Councilperson Morris, carried, that the following Resolution be and the same is hereby adopted:

WHEREAS, the Borough of Sea Girt Department of Public Works has been soliciting requests for proposals to serve as a part-time gardener for the summer season of 2015, commencing April 8, 2015 through October 31, 2015, inclusive, for a maximum of 25 hours per week; and,

WHEREAS, the services to be provided include bed maintenance, including but not limited to, planting, weeding and mulching the areas for the following locations:

- Library approximately, the Plaza and The Crescent
- Community sign
- Liberty Tree
- Cornelius Monument, Memorial Park, The Crescent and Boston Boulevard approximately, 100 ft.²
- Edgemere Park, Beacon Boulevard and the railroad tracks, approximately 300 ft.²
- Seven round flowerbeds on Crescent Parkway
- Borough Hall, Firehouse/Police Department, Baltimore and Fourth

NOW, THEREFORE, BE IT RESOLVED, that Jane Hunnewell be and she is hereby appointed as the part-time gardener for the Department of Public Works at \$15.00 per hour, not to exceed 25 hours per week.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to:

1. Jared McKittrick, Department of Public Works Manager
2. Jane Hunnewell

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo			X	

7. ADMINISTRATOR REPORTS/DISCUSSION

- A. **Sea Girt Avenue and Outfall extension/drainage improvements** – bid specifications are being revised to comply with NJDEP environmental concerns funding application is currently under review by NJEIT.
- B. **2015 Beach Season:** the Borough will be implementing a new on-line registration process, including the option to use a credit card to complete the purchase; further

information will be provided as soon as it is available. Please check our website as additional information will also be posted on the site.

- C. **Baltimore Blvd. Utility Improvements** – project has begun; no major problems identified to date
- D. **Clean Ocean Action Spring Beach Sweeps** will be held on April 25, 2015, beginning at 9:00 AM; meet at the Pavilion. Participants are urged to wear hats, hard-soled shoes and sunscreen and bring gloves to the event.
- E. **Impervious Surface information** – comments on draft ordinances that were provided for review/discussion purposes; the types of improvements (e.g., primary structure, detached garages and accessory structure, paver patio, decks). that are included in the impervious surface calculation must be defined, etc.
- F. **Proposed Ordinance** – No storage of trucks, trailers or boats on any lot in any zone – suggested revisions to the Borough Code section 3-15.2 are attached for comments.
- G. **2015 Fire Safety Poster Contest:** We want to thank Chief Chris Willms for coordinating and the school for allowing students to participate in the 2015 Fire Safety Poster Contest. Each of the top 3 in the class will receive a \$5 voucher and the 2 Division Winners will receive a \$25 voucher donated by the 2015 Pavilion Concessionaire, Scott Walker of Bagel Basket; our thanks to Mr. Walker for his generous donation as well:

WINNERS:

2 students for County judging
Brooke Loughlin- K-2 division
Clifford Smith 3-5 division

1st Grade
1st place-Declan White
2nd- Delia Gilmore
3rd- Millicent DiFeo

2nd Grade
1st- Brooke Loughlin
2nd- Matthew Shnurr
3rd- Zoe Keefe

3rd Grade
1st- Evelyn DiFeo
2nd- Catherine Bonner
3rd- Sully McDonough

4th Grade
1st- Michael Flynn
2nd -Josie DiFeo
3rd- Lily Carhart

8. **QPA REPORTS** (of activity since previous Council Meeting): None

9. **COUNCIL REPORTS**

Councilpersons Buonocore, Morris and Farrell had no reports.

Councilperson Mulroy reported as follows:

Thanked Jay Amberg for his report: The beach is in good condition; limited erosion; sand likely to accumulate at outfall ends; dune grass planted seem to be thriving; adding shower to Neptune Beach; no piping plovers have been observed since an initial sighting on the south end of the Spring Lake Beach in March; no oyster catchers observed; beaches will be ready for a visitors.

Council President Fetzer reported as follows:

The issue with Mr. O'Grady's water quality is iron buildup due to low usage during the winter. The solution will be to flush hydrants more frequently over the winter. Harrigan's management complained about the flushing during the time of their lunch service and asked that their operations be taken into consideration during the next flushing cycle. Mrs. Carafa advised that the Washington Blvd. business district hydrants would be flushed during the overnight hours tonight and will be completed by 6:00 AM tomorrow.

10. **Resolution No. 69-2015:** Payment of bills

BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt that bills be paid as appearing on the attached Bill Lists dated April 2, 2015 in the totals as follows:

CURRENT FUND	\$ 421,661.51
WATER/SEWER OPERATING FUND	\$ 21,123.19
BEACH OPERATING FUND	\$ 1,376.90
RECREATION TRUST	\$ 130.78
BEACH CAPITAL	\$ 66,706.77
WATER CAPITAL	\$ 25,243.74

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo			X	

11. **PUBLIC PARTICIPATION ON ANY SUBJECT** (Comments limited to 7 minutes)

Ken Leppard of Spring Lake Heights suggested limiting the number of taxi licenses issued by the Council and limiting their numbers during peak operating hours.

Sharon Kregg of Brooklyn Blvd. noted that the residents and Parker House must work together.

12. Resolution No. 70-2015: Executive Session (to discuss personnel and potential litigation)

UPON MOTION of Councilperson Mulroy, seconded by Council President Fetzer, that the following Resolution be and the same is hereby adopted:

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, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matter(s) to be discussed is as follows: potential litigation.
3. It is anticipated at this time that the subject matters will be made public, if and when, confidentiality is no longer necessary. Action may be taken upon return to public session.
4. This Resolution shall take effect immediately.

RECORDED VOTE:

	Ayes	Nays	Absent	Abstain
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo			X	

The Clerk noted that the following matter had been discussed in Executive Session and that Council has authorized the following action:

Resolution No. 71-2015: UPON MOTION of Councilperson Mulroy, seconded by Council President Fetzer, carried, that the Borough Attorney is hereby authorized and directed to counter to ARG t/a Edgar's settlement offer within the terms just discussed during the Executive Session.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo			x	

The Council returned to public session at 10:45 PM. There being no further business and **UPON MOTION** of Council President Fetzer, and seconded Councilperson Buonocore, carried, that the meeting be finally adjourned at 10:50 PM.

Lorraine P. Carafa

Lorraine P. Carafa, RMC
Municipal Clerk

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BOROUGH OF SEA GIRT
Bill List By P.O. Number

Page No: 1

P.O. Type: All
Range: First to Last
Format: Condensed

Open: N Paid: N Void: N
Rcvd: Y Held: Y Aprv: N
Bid: Y State: Y Other: Y Exempt: Y

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
14-00816	07/30/14	CFEC01	City Fire Equipment Co., Inc. Annual Fire Extinguisher Insp.	Open	131.45	0.00	B
14-01269	12/01/14	STOCKTON	Richard Stockton College of NJ Coursr registration, Macko	Open	99.00	0.00	
14-01303	12/15/14	BARBER	H. Barber & Sons, Inc. Surf Rake	Open	53,942.64	0.00	
14-01329	12/18/14	BARBER	H. Barber & Sons, Inc. Overhaul Surfrake	Open	12,764.13	0.00	
15-00002	01/02/15	00045	SEA GIRT BOARD OF ED 2015 School taxes 1st half	Open	351,184.00	0.00	B
15-00009	01/02/15	01942	ONE CALL CONCEPTS 2015 Service acct# 12-SGB	Open	52.42	0.00	B
15-00013	01/02/15	00614	CABLEVISION Cable service 2015	Open	89.90	0.00	B
15-00014	01/02/15	00614	CABLEVISION 2015 Cable service	Open	10.00	0.00	B
15-00015	01/02/15	00614	CABLEVISION 2015 Cable service	Open	74.98	0.00	B
15-00017	01/02/15	00016	JERSEY CENTRAL POWER & LIGHT 2015 Service, water	Open	3,035.63	0.00	B
15-00018	01/02/15	00016	JERSEY CENTRAL POWER & LIGHT 2015 Service, library	Open	103.03	0.00	B
15-00019	01/02/15	00016	JERSEY CENTRAL POWER & LIGHT 2015 Service, beach	Open	876.03	0.00	B
15-00020	01/02/15	00016	JERSEY CENTRAL POWER & LIGHT 2015 service, paddle tennis	Open	58.28	0.00	B
15-00021	01/02/15	00016	JERSEY CENTRAL POWER & LIGHT 2015 Service, Street lighting	Open	2,362.50	0.00	B
15-00022	01/02/15	00016	JERSEY CENTRAL POWER & LIGHT 2015 Service, PW	Open	1,993.98	0.00	B
15-00025	01/02/15	00051	NJ NATURAL GAS CO. 2015 Service, PW	Open	175.61	0.00	B
15-00032	01/02/15	00008	AT&T 2015 Service	Open	54.80	0.00	B
15-00033	01/02/15	00007	VERIZON 2015 Service, beach	Open	340.12	0.00	B
15-00034	01/02/15	00007	VERIZON 2015 Service, PD & A&E	Open	292.33	0.00	B
15-00035	01/02/15	00007	VERIZON 2015 Service, PW	Open	35.03	0.00	B
15-00036	01/02/15	00007	VERIZON 2015 Service, FD	Open	35.53	0.00	B
15-00037	01/02/15	00349	VERIZON WIRELESS 2015 Services, PD & OEM	Open	477.66	0.00	B
15-00069	01/05/15	00040	MONMOUTH COUNTY TREASURER 2015 Tipping fees	Open	4,838.50	0.00	B
15-00078	01/05/15	00053	VAN WICKLE AUTO SUPPLY 2015 Blanket	Open	241.61	0.00	B
15-00079	01/05/15	00964	A'S GARDEN & HOME CENTER 2015 Blanket	Open	15.15	0.00	B
15-00081	01/05/15	00575	JASPAN HARDWARE 2015 Blanket	Open	153.93	0.00	B
15-00120	01/22/15	01360	SIMONETTI SPORTS Basketballs	Open	72.50	0.00	
15-00121	01/22/15	00349	VERIZON WIRELESS 2015 Service, Water Dept.	Open	103.06	0.00	B
15-00128	01/26/15	00007	VERIZON 2015 Service	Open	86.36	0.00	B
15-00145	01/29/15	UARM01	Up N Runnin' II, LLC Repair sweeper & Sanatation tr	Open	730.00	0.00	B
15-00191	02/11/15	HFA01	Holman, Frenia, Allison, P.C. 2014 Debt St, AFS, Audit srvs	Open	115.00	0.00	B
15-00228	02/25/15	00964	A'S GARDEN & HOME CENTER 2015 Blanket	Open	7.95	0.00	B
15-00240	03/05/15	AEDU01	Northwest Health & Safety Inc. Difibrillation pads	Open	147.92	0.00	
15-00242	03/05/15	REG NJ	Registrar's Association of NJ Registrar's Assoc. Meeting	Open	35.00	0.00	
15-00250	03/09/15	00469	MONMOUTH CTY. TREASURER Course 2/4-11, W Joule	Open	25.00	0.00	
15-00251	03/09/15	MON01	Monmouth County Treasurer MOCERT 2015 Assessment	Open	1,000.00	0.00	
15-00252	03/10/15	01587	ATLANTIC IRRIGATION SPEC. INC Parts for Beach railings	Open	70.85	0.00	B
15-00264	03/12/15	00383	ALLISON PEST CONTROL Service for 612 Philidelphia	Open	175.00	0.00	
15-00265	03/13/15	00169	GOODYEAR TIRE CRAFT Trailer tires	Open	650.00	0.00	
15-00266	03/13/15	01625	GRAINGER Floodlights	Open	183.98	0.00	
15-00276	03/13/15	AMMM01	Apruzzese, McDermott, Mastro R-144-2014 Defense litigation	Open	1,484.56	0.00	B
15-00279	03/18/15	01912	STAPLES ADVANTAGE Library Supplies	Open	51.53	0.00	
15-00281	03/18/15	00987	CLAVIN TREE SERVICE LLC Tree removal & trimming	Open	825.00	0.00	
15-00288	03/20/15	00302	MACLEARIE PRINTING/COPY CENTER Mailing labels w/ return addre	Open	252.00	0.00	
15-00289	03/20/15	00078	NJ STATE LEAGUE OF MUN. Ad, Deputy Clerk	Open	110.00	0.00	
15-00290	03/20/15	URN01	Urner Barry Letterhead & Envelopes	Open	656.00	0.00	
15-00292	03/24/15	KINTECH	Kintech, Inc. Sign for Easter Egg Hunt	Open	75.00	0.00	
15-00305	03/24/15	01931	LORRAINE P. CARAFA Reimbursement	Open	423.55	0.00	
15-00306	03/25/15	00228	TRANS-BEARING CO. INC. belts for Air striper	Open	23.52	0.00	
15-00309	03/25/15	00228	TRANS-BEARING CO. INC. Hydrualic hoses	Open	161.26	0.00	

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Bill List By P.O. Number

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PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	
15-00310	03/25/15	00540	SEA COAST CHEVROLET	wheel	Open	183.75	0.00	
15-00311	03/25/15	01642	FREEHOLD FORD	Tail light	Open	111.80	0.00	
15-00316	03/25/15	00039	GPANJ, Inc.	Registration - L. Carafa	Open	395.00	0.00	
15-00323	03/27/15	01557	CHARLIE HILL	CDL class B license	Open	42.00	0.00	
15-00325	03/27/15	HARRIMAN	Dawn Harriman	Reimbursement, notary applicat	Open	30.00	0.00	
15-00331	04/01/15	01598	Tropicana Casino and Resort	Hotel accommodations, L Carafa	Open	150.00	0.00	
Total Purchase Orders:		56	Total P.O. Line Items:	0	Total List Amount:	441,815.83	Total Void Amount:	0.00

15-00318	CortexIT Labs	Back-up Assist	269.00
	State of NJ	State Health Benefits	51,023.71
	SEMMUA	1st Q 2015	<u>17,890.61</u>
			510,999.15
	Patock		<u>25,243.74</u>
			536,242.89

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BOROUGH OF SEA GIRT
Bill List By P.O. Number

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Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	4-01	230.45	0.00	230.45	0.00	0.00	230.45
		421,431.06					
CURRENT FUND	5-01	370,138.35	0.00	370,138.35	0.00	0.00	370,138.35
		21,123.19					
WATER OPERATING	5-05	3,232.58	0.00	3,232.58	0.00	0.00	3,232.58
BEACH OPERATING	5-09	1,376.90	0.00	1,376.90	0.00	0.00	1,376.90
BOARD OF RECREATI	5-26	130.78	0.00	130.78	0.00	0.00	130.78
Year Total:		374,878.61	0.00	374,878.61	0.00	0.00	374,878.61
BEACH CAPITAL	B-08	66,706.77	0.00	66,706.77	0.00	0.00	66,706.77
Total Of All Funds:		441,815.83	0.00	441,815.83	0.00	0.00	441,815.83
Water Capital		25,243.74					
Total		536,242.89					