## MINUTES - REGULAR MEETING APRIL 26, 2017

The Regular Meeting of the Borough of Sea Girt Council was called to order by Mayor F. Ken Farrell at 7:30 PM on Wednesday, April 26, 2017 at the Sea Girt Elementary School, Bell Place, Sea Girt. Mayor Farrell asked for a moment of silence; he then led those in attendance in the Pledge of Allegiance.

The Clerk read the Compliance Statement: this meeting is called pursuant to the provisions of the Open Public Meetings Act, Chapter 231, PL 1975, Section 5: adequate notice of this meeting has been given by posting the Notice on the Borough Bulletin Board and by transmitting the Notice to the Borough's two newspapers, *The Asbury Park Press* and *The Coast Star*, as required by law.

#### 1. ROLL CALL:

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

#### 2. APPROVE MINUTES

• Resolution No. 73-2017: Approve Minutes, Regular Meeting held April 12, 2017

Council President Fetzer asked that the Minutes to be revised to correctly reflect that he voted "No" on the introduction of Ordinance No. 07-2017. **UPON MOTION** of Council President Fetzer, seconded by Councilperson Meixsell, carried, that the Minutes of the Regular Meeting held March 22, 2017 as amended be and the same are hereby adopted.

#### Recorded Vote:

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

3. **OPEN DISCUSSION** (Council is invited to speak on any subject)

Councilperson Mulroy suggested numbering the tennis courts at each location and adding a clipboard to display court permits.

#### 4. OLD BUSINESS

## A. Ordinances - public hearing/possible adoption

1. **Ordinance No. 05-2017** – The Mayor to read the said Ordinance by Title and advise of its publication in *The Asbury Park Press* on April 16, 2017:

#### ORDINANCE NO. 05-2017

AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 12-2, CONSTRUCTION PROCEDURE AND SITE REGULATION, SUBSECTION 12-2.2 ADDITIONAL REGULATIONS OF CHAPTER-XII, BUILDING-AND HOUSING IN THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH

# BE IT HEREBY ORDAINED BY THE COUNCIL OF THE BOROUGH OF SEA GIRT AS FOLLOWS:

SECTION 1. Section 12-2.2, Additional Regulations, is hereby amended and supplemented as follows:

- (a) Subsection d, All construction sites shall be enclosed with silt fencing is hereby supplemented as follows: All construction sites shall be enclosed with silt fencing supplemented with additional temporary fencing consisting of either chain link, safety barrier fencing of any color or wood slat (snow or sand) fencing properly supported with posts not less than every four (4') feet that is not less than four (4') in height and not to exceed six (6') in height, surrounding the perimeter of the construction site.
- (b) Subsection f, The abutting street and sidewalk shall be kept free from dirt, sand and other materials is hereby supplemented as follows: The abutting street and sidewalk shall be kept free from dirt, sand and other materials. A temporary stone tracking pad, a minimum of twelve (12') wide and fifteen (15') long, must be installed from the curb onto the construction site.
- (c) Subsection h, is deleted and replaced as follows: All portable toilets shall be positioned at least twenty (20°) feet from the curb in a manner so the door accessing same is facing the rear of the property. All portable toilets must be cleaned and serviced at least once every seven (7) days.
- (d) Subsection k, The off-loading and on-loading of track vehicles in the street is prohibited is deleted and amended as follows: The off-loading and on-loading of track vehicles in the street is permitted subject to the following conditions:
  - i. a permit must be obtained from the Zoning or Code Enforcement Officer or his designee prior to delivery of the vehicle to the site:
  - ii. the fee for said permit shall be \$1,000;
  - the street area shall be protected with a cover consisting of a minimum three-quarter (¾") inch plywood sheets, rubber mats or some other material as recommended by the Zoning Officer.

**SECTION** 2. Section 12-2.2, *Additional Regulations*, is hereby supplemented as follows:

- (a) Subsection I. The dry cutting of stone and concrete is prohibited.
- (b) Subsection m. All construction sites shall post on-site the following information: the block, lot and address of the property; the name, address and telephone number of the General Contractor and the rules and regulations for all construction sites distributed by the Zoning

and Code Official so as to be visible to all Borough officials and sub-contractors in a weather-proof manner at all times.

**SECTION 3.** Violations and penalties. Any person who shall violate any of the provisions of this Chapter shall, upon conviction, be subject to the penalties as provided in Chapter 1, Section 1-5 entitled "General Penalty." Each day of violation shall constitute a separate offense.

**SECTION 4.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 5**. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**UPON MOTION** of Council President Fetzer, seconded by Councilperson Mulroy, carried, that the meeting be opened to the public for comments on the said Ordinance only.

Robert Kregg, Boston Blvd., is aware of consistent violations and would like to see enforcement of our Ordinances.

John O'Grady noted the portable toilet at 403 Beacon Blvd. is not 20' from the curb.

There being no further comments and **UPON MOTION** of Council President Fetzer, seconded by Councilperson Mulroy, carried, the public hearing was closed. Council President Fetzer commented that Subsection d, should strike "entire" and "lot" and add "construction site" in place of lot; Subsection f, Zoning Officer Discretion, and also in Subsection f, strike "is required." **UPON MOTION** of Council President Fetzer, seconded by Councilperson Rotolo, carried, that the said Ordinance No. 05-2017, as amended, be adopted on final reading, directing the Clerk to post and publish as required by law.

#### Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley			Х	
Councilman Meixsell	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo-	X			

2. Ordinance No. 07-2017 – The Mayor to read the said Ordinance by Title and advise of its publication in *The Asbury Park Press* on April 16, 2017:

#### ORDINANCE NO. 07-2017

AN ORDINANCE TO AMEND AND SUPPLEMENT SECTIONS 7-16, PARKING OF CERTAIN TRUCKS, VEHICLES AND TRAILERS PROHIBITED AND 7-21, MULTI-WAY STOP INTERSECTIONS OF CHAPTER VII, TRAFFIC IN THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH

## BE IT HEREBY ORDAINED BY THE COUNCIL OF THE BOROUGH OF SEA GIRT AS FOLLOWS:

**SECTION 1**. Section 7-16, *Parking of Certain Trucks, Vehicles and Trailers Prohibited*, is hereby amended and supplemented as follows:

7-16.1 No person shall park a truck, other vehicle or trailer, with commercial registration or any vehicle with a taxi, omnibus, livery or limousine registration on any street in the residential zones (District 1 East, 1 West and 4 Single Family) between the hours of midnight and 6:00 AM on any day, unless responding to an emergency call-out.

**SECTION 2**. Section 7-21, *Multi-Way Stop Intersections*, is hereby amended and supplemented as follows:

<u>Intersection</u>

Stop Signs On

The Terrace and Second Avenue

The Terrace

The Terrace and Third Avenue

The Terrace and Fourth Avenue

Second Avenue (north)

The Terrace

Third Avenue (north)

The Terrace

Fourth Avenue (north)

**SECTION 3.** Violations and penalties. Any person who shall violate any of the provisions of this Chapter shall, upon conviction, be subject to the penalties as provided in Chapter 1, Section 1-5 entitled "General Penalty." Each day of violation shall constitute a separate offense.

**SECTION 4.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 5**. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**UPON MOTION** of Councilperson Morris, seconded by Council President Fetzer, carried, that the meeting be opened to the public for comments on the said Ordinance only.

Sharon Kregg, Brooklyn Blvd., noted that she is opposed to the addition of stop signs to the Terrace from an aesthetic standpoint and lack of efficacy.

John O'Grady, The Terrace, asked about using other traffic calming methods; Mayor Farrell replied that this was already addressed by our Engineer.

Diane Anthony, Brooklyn Blvd., asked if the town could install speed bumps; Mayor Farrell responded that this was also discussed with our Engineer and speed bumps cannot be installed on the gravel road surface.

There being no further comments and **UPON MOTION** of Councilperson Rotolo, seconded by Councilperson Mulroy, carried, the public hearing was closed. Councilperson Rotolo asked if trucks with non-commercial plates are restricted; Mayor Farrell replied that they are not. Councilperson Rotolo also asked to have a comma placed after the word "trailer" in section 7-16.1.

Council President Fetzer noted Mrs. Kregg had a good point regarding stop signs; and further noted that in his opinion, Section 7-16.1 is too restrictive and he is not in favor of this provision.

**UPON MOTION** of Councilperson Morris, seconded by Councilperson Meixsell, carried, that the said Ordinance No. 07-2017 as amended be adopted on final reading, directing the Clerk to post and publish as required by law.

#### Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley			Х	
Councilman Meixsell	Х			
Councilwoman Morris	Х			
Council President Fetzer		Х		
Councilman Mulroy	Х			
Councilman Rotolo	Х			

3. **Ordinance No. 08-2017** – The Mayor to read the said Ordinance by Title and advise of its publication in *The Asbury Park Press* on April 16, 2017:

#### ORDINANCE NO. 08-2017

AN ORDINANCE PROVIDING FOR THE PURCHASE OF EQUIPMENT NECESSARY TO THE BOROUGH'S RECYCLING PROGRAM AND PROVIDING FOR THE COST THEREOF FROM THE RESERVE FOR RECYCLING TRUST FUND AND RESERVE FOR CLEAN COMMUNITIES FUND OF THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH

BE IT ORDAINED by the Borough Council of the Borough of Sea Girt, County of Monmouth, as follows:

**Section 1.** The Borough Council of the Borough of Sea Girt wishes to purchase the necessary equipment to improve the Borough's Recycling Program and to provide for the cost thereof from the Capital account C-04-55-547-501, the Reserve for Recycling Trust Fund and the Reserve for Clean Communities Trust Fund.

Section 2. The improvements as stated above are general improvements that the Borough may lawfully undertake and the amount appropriated therefor is \$30,000.00.

Section 3. No debt is to be issued for said improvement and the cost of said improvement is to be financed from the funds presently accumulated in the Capital account C-04-55-547-501 (\$10,000), Reserve for Recycling Trust (\$10,000.00) and the Reserve for Clean Communities Fund (\$10,000.00) of the Borough of Sea Girt.

#### Section 4. Repeal, Severability.

a. All ordinances or parts of ordinances inconsistent herewith are repealed, but only to the extent of such inconsistency.

b. If any section, paragraph, subparagraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subparagraph, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

#### Section 5. Effective Date

This Ordinance shall take effect immediately upon its final passage and publication as required by law.

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

**UPON MOTION** of Councilperson Meixsell, seconded by Councilperson Mulroy, carried, that the said Ordinance No. 08-2017 be adopted on final reading, directing the Clerk to post and publish as required by law.

#### Recorded Vote:

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

4. Ordinance No. 09-2017 – The Mayor to read the said Ordinance by Title and advise of its publication in *The Asbury Park Press* on April 16, 2017:

#### **ORDINANCE NO. 09-2017**

BOND ORDINANCE PROVIDING FOR VARIOUS 2017 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$550,800 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$425,321 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Sea Girt, in the County of Monmouth, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$550,800, said sum being inclusive of a contribution from the Parker House in the amount of \$5,250 (the "Contribution") and a down payment in the aggregate amount of \$120,229 for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payment is now available by virtue of a

provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes or by monies actually held by the Borough.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$550,800 appropriation not provided for by application hereunder of said Contribution and down payment, negotiable bonds of the Borough are hereby authorized to be issued in the aggregate principal amount not exceeding \$425,321 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in an aggregate principal amount not exceeding \$425,321 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

**SECTION 3.** (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued include, but are not limited to, as follows:

Description	Appropriation	Authorization	Down Payment	Useful <u>Life</u>
(i) <u>Police Department</u> — Acquisition And Installation, As Applicable, Of Various Equipment And A Non-Passenger Vehicle Including, But Not Limited To, UHF Portable Radios, Handguns, Holsters And An F-150 Pick-Up Truck; And Police Building Improvements Including, But Not Limited To, Improvements To Lighting, Windows, Doors And The Reception Area;	\$65,800 (including the Contribution)	\$26,750	\$39,050 (including the Contribution)	7.5 years
(ii) <u>Department Of Public Works</u> — Acquisition And Installation, As Applicable, Of Various Equipment and Non-Passenger Vehicles Including, But Not Limited To, Recycling And Trash Receptacles Throughout The Borough And A Sanitation Truck;	\$390,000	\$308,095	\$81,905 (comprised of \$11,905 from Borough's Capital Account, \$55,000 from Beach Utility Capital Outlay Account and \$7,500 each from Clean Communities and Recycling Trust accounts)	8.2 years
(iii) <u>Fire Department</u> — Acquisition And Installation, As Applicable, Of Various Equipment Including, But Not Limited To, Turn Out Gear, Air Packs And Radios; and,	\$45,000	\$42,857	\$2,143	5 years

Description	Appropriation	Authorization	Down Payment	Useful <u>Life</u>
(iv) <u>Park Improvements</u> — Improvements To Crescent Park (Phase 1) Including, But Not Limited To, Landscaping And Aesthetic Improvements.	\$50,000	\$47,619	\$2,381	15 years
TOTALS	\$550,800 (including the Contribution)	<u>\$425,321</u>	\$125,479 (including the Contribution)	

- (b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$425,321.
- (c) The aggregate estimated cost of said improvements or purposes is \$550,800, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the Contribution and the down payment available for said purposes and the Contribution.
- (d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, preparation of plans and specifications, permits, bid documents, contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Monmouth make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Monmouth. In the event, however, that any amount so contributed or granted by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form

promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, is on file in the Office of the Clerk of the Borough and is available for public inspection.

**SECTION 7.** The following additional matters are hereby determined, declared, recited and stated:

- (a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 8.59 years.
- (c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$425,321 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.
- (d) An aggregate amount not exceeding \$110,160 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements herein before described.

**SECTION 8.** The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

**SECTION 9.** The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

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

**UPON MOTION** of Councilperson Meixsell, seconded by Councilperson Rotolo, carried, that the said Ordinance No. 09-2017 be adopted on final reading, directing the Clerk to post and publish as required by law.

#### **Recorded Vote:**

	Ayes	Nays.	Absenț	Abstain
Councilman Foley			Х	
Councilman Meixsell	. Х			
Councilwoman Morris	Х			
Council President Fetzer	X			
Councilman Mulroy	· X			
Councilman Rotolo	X			

#### 5. **NEW BUSINESS**

- A. Request to approve waiver from Philadelphia Blvd. Road Opening: After discussion among Council members, the Administrator suggested obtaining estimates for milling and paving with our Engineer. **UPON MOTION** of Council President Fetzer, seconded by Councilperson Rotolo, carried, that the matter be tabled until the May 10<sup>th</sup> Council meeting.
- B. Resolution No. 75-2017: Shared Service with Brielle Fire Official Back-up

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

WHEREAS, the State of New Jersey Bureau of Fire Safety requires that a municipality provide for an alternate to provide for the services of Fire Official in the event that the individual appointed to fulfill these duties by the municipality should be unavailable due to illness, vacation, bereavement, or any other reason that would prevent said individual from providing these essential services; and,

WHEREAS, the Borough of Brielle and the Borough of Sea Girt have agreed that it is in the best interest of both municipalities to provide such reciprocal services for the position of Fire Official; and,

WHEREAS, both municipalities agreed that these services will be provided at no charge on an "as needed" basis with the exception that, in the event the absence of either municipality's Fire Official extends beyond a period of thirty (30) days, the municipality providing the reciprocal service shall be entitled to compensation at the daily rate being paid to the Fire Official who is providing the service.

**NOW, THERFORE BE IT RESOLVED** by the Council of the Borough of Sea Girt that this resolution shall take effect immediately upon passage, and that a certified copy be forwarded to the State of New Jersey Bureau of Fire Safety and to the Borough of Brielle.

#### Recorded Vote:

1	Ayes	Nays	Absent	Abstain
Councilman Foley			Х	
Councilman Meixsell	Х			
Councilwoman Morris	X			
Council President Fetzer				
Councilman Mulroy	Х			
Councilman Rotolo	X			

C. **Resolution No. 76-2017**: Payment No. 2, Helios Construction, Inc., Handicapped Accessible Improvements to Police Headquarters, \$27,225

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

WHEREAS, the Borough of Sea Girt awarded a contract in the amount of \$69,000 to Helios Construction, Inc., Ocean Township, New Jersey, for the Project known as Barrier-Free Improvements to Police Headquarters on September 2, 2016; and,

WHEREAS, the contractor has submitted Application and Request for Payment #2 in the amount of \$30,250 that has been reviewed by the Project Architect and found to be correct.

**NOW, THERFORE BE IT RESOLVED** by the Council of the Borough of Sea Girt that Payment No. 2 to Helios Construction, Inc., Ocean Township, NJ, in amount of \$27,225 (\$30,250 less retainage of \$3,025) be and the same is hereby approved.

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

- 1. Helios Construction, Inc., Ocean Township, NJ
- 2. Paul Damiano, Project Architect
- 3. Chief Financial Officer for his information and further action

#### Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley			Х	
Councilman Meixsell	X			
Councilwoman Morris	Х			,
Council President Fetzer	X			
Councilman Mulroy	Х			
Councilman Rotolo	Х			

D. Resolution No. 77-2017: Refund of unexpended Planning Board application escrow balances

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

WHEREAS, the following individuals posted escrow for Planning Board applications and are still carrying a balance as stated below:

BLOCK NO.	LOT NO.	PROPERTY OWNER	ADDRESS	AMOUNT
1.0	4	Sullivan, Patrick & Pamela	9 Philadelphia Blvd.	\$4,083.00
22	8.01	O'Neill, Michael	114 New York Blvd.	\$1,844.60
44	'5	Holthusen, John	311 Beacon Blvd.	\$2,107.80
53	14	Schwartz, Robert	312 Washington Blvd.	\$2,010.00
64	12	Coastal-Modular Group for C. Codey	406 Chicago Blvd.	\$3,303.00
72	5	Reid, Robert & Lipsitz, Steven	511 Philadelphia Blvd.	\$1,666.00

and,

WHEREAS, all of the related fees have been paid.

**NOW, THEREFORE, BE IT RESOLVED,** that the remaining escrow balances be returned, the individual amounts totaling \$15,014.40 and the Chief Financial Officer is authorized to process checks, payable as noted above, to close these accounts.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be supplied to the Chief Financial Officer for his action.

### Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Foley			Х	
Councilman Meixsell	Х			
Councilwoman Morris	Х			
Council President Fetzer	Х			
Councilman Mulroy	Х			
Councilman Rotolo	Х			

E. Resolution No. 78-2017: Professional services contract for LSRP Services, Jerold Blustein, not to exceed \$14,300

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

WHEREAS, the Borough is required to engage the services of an Licensed Site Remediation Professional (LSRP) to monitor the on-going site remediation at the Public Works facility; and,

WHEREAS, a proposal was received from the Borough's current Professional, Jerold Blustein of H2M Associates, Inc. at the rate of \$14,300 for the required services.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Girt, County of Monmouth that a professional services contract be awarded to Jerold Blustein of H2M Associates, Inc., to serve as the Licensed Site Remediation Professional as required by NJDEP for site remediation at the Public Works Yard at the cost of \$14,300.00, subject to review.

**BE IT FURTHER RESOLVED** that the Mayor and Municipal Clerk be and they are hereby authorized to execute the Agreement with Jerold Blustein for LSRP services.

#### Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilmán Foley			Х	
Councilman Meixsell	Х			
Councilwoman Morris	Х			
Council President Fetzer	X			
Councilman Mulroy	X.			
Councilman Rotolo	Х			

## 6. ADMINISTRATOR REPORTS/DISCUSSION

- A. Bid Update: The Borough received one bid in response to the advertisement to bid for the project known as Five Year Lease of Portion of Water Tower Site for Construction of a Communications Facility Including the Operation of Wireless Antennae and Wireless Equipment, Block 88, Lot 1, Borough of Sea Girt from Verizon/NJ Sea Girt 2. The Borough Attorney is assisting with the review of the bid documents; the vendor has agreed to make a presentation at a Council meeting to explain their proposal.
- B. Community Forestry Management Plan update the Borough has just learned that our Plan has been approved by the State Forestry Service; the plan's approval coordinates with the Borough's 2017 Capital Plan, allowing us to apply for grants in future years' to leverage the funds allocated for improvements to our open space parks.
- C. **Beach News** Reminder to all existing bath house registrants: You must renew your bath house registration not later than May 1. Beach badge registration is now open for 2017, *this is an on-line process only*. Please see detailed information on the Borough's website, <a href="www.seagirtboro.com">www.seagirtboro.com</a> or log in to Community Pass directly via this link: <a href="https://register.communitypass.net/SeaGirtBorough">https://register.communitypass.net/SeaGirtBorough</a>
- D. Centennial Celebration We are pleased to announce that as part of our Centennial Celebration weekend, Manasquan Bank is sponsoring a Fireworks Display on Friday evening, September 8 along the beachfront. Our festivities continue on Saturday, September 9 with our parade kicking off at Noon with dignitaries participating, including our local representatives Assemblymen Kean and Rible, Freeholders Arnone and DiMaso, Sheriff Golden and representatives from the Sheriff's Department including the Honor Guard, Fire Department and Police Department representatives from neighboring communities, bands including the Sea Girt Elementary School Band, the State Police Pipe and Drum Corps, the Jersey Shore Pipe and Drum Corps and representatives of our local Chamber of Commerce. The parade will be followed by an afternoon of fun and games for children of all ages at Baltimore Park, hosted by the Sea Girt Fire Department. The day concludes with the adults only dining and dancing under tents at the NGTC from 7 to 11 PM; advance ticket sales only, reserve your tickets now (\$125/person; tables of eight may be purchased) by logging onto to our website, <a href="https://www.seagirtboro.com">www.seagirtboro.com</a>, and downloading the ticket order form.
- 7. QPA REPORTS (of activity since previous Council Meeting): None
- 8. COUNCIL REPORTS: Councilpersons Meixsell and Rotolo had no reports.

Councilperson Morris reported:

- Library: that the Friends of the Sea Girt Library will be sponsoring the 5<sup>th</sup> Annual Wine and Cheese Gathering; the event will be held on June 24<sup>th</sup> from 5-7 PM at the Sea Girt Library;
- the Book Sale is tentatively scheduled for July 15;
- Friends of Library fundraising during 2016 raised \$28,316.95.
- Police The Police Department received complimentary letters from residents praising them for their efforts, specifically, Officer Bolchune, Sergeant O'Connor and Special Officers Stillwell and Irizarry;
- Police Officer Zachary Sherman graduates next week from the Police Academy as do the Class II Specials.

Councilperson Mulroy reported the Pavilion and tables have been power washed; lifeguard testing is scheduled for this weekend and Jr. Lifeguard Program registration is now open.

Council President Fetzer reported that work is progressing on the GIS update and implementation; preliminary inquiries to NJEIT for \$100K grant for implementation of CMMS have been initiated and we will be following up next week; hydrant flushing just completed.

Mayor Farrell reported the following:

- SMRSA: we are completing pump station rebuilds, in summary, SMRSA spent in excess of \$4.4M in total for the restorations but with offsets from insurance reimbursement, grants from FEMA and resiliency grants, the net cost of the Lake Como station is \$185K and the Pitney Station is \$293K, leaving a balance of \$480K to be financed. Repairs to the Belmar station cost approximately \$2.5M with no offsets; overall, the balance of approximately \$3M will be financed through the NJEIT at very favorable terms. He also noted that the co-generation facility improvements are almost completed;
- He also commented on the status of the pending legislation to extend the length of the summer season during which seasonal retail consumption licensees could sell alcoholic beverages, noting that although he personally called several of the legislators sponsoring the bills, it was reported in newspaper articles by one of the legislators that he had received no comments opposing the bill. He is asking tonight for Council to adopt a Resolution in order to formally record the Borough's opposition to this legislation; Council members concurred, and the following Resolution was adopted:

**Resolution No. 79-2017:** Opposing the proposed extension of the length of the summer season during which seasonal retail consumption licensees could sell alcoholic beverages

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

WHEREAS, S2606 sponsored by Senator Patrick J. Diegnan, Jr. (District 18, Middlesex) and the companion bill A1850 sponsored by Assemblypersons Thomas P. Giblin (District 34, Essex and Passaic); Wayne P. DeAngelo (District 14, Mercer and Middlesex); Raj Mukherji (District 33, Hudson); Jamel C. Holley (District 20, Union), and co-sponsored by Assemblypersons Joseph V. Egan (District 17, Middlesex and Somerset); Craig J. Coughlin (District 19, Middlesex); Annette Quijano (District 20, Union); and Angelica Jimenez (District 32, Bergen and Hudson) would extend by two months (from May

1 to March 1) the length of the summer season during which seasonal retail consumption licensees could sell alcoholic beverages; and,

WHEREAS, there are no seasonal retail consumption licensees in the communities represented by the sponsors and co-sponsors of S2606 and A1850; and,

WHEREAS, neither the sponsors nor co-sponsors have offered a valid basis to increase the term of the license; and,

WHEREAS, said extension would create undue hardship on the communities in which these eight (8) seasonal licenses exist, all of which are located in the coastal counties of Monmouth and Ocean, respectively; and,

WHEREAS, the proposed time extension would in fact represent the de facto issuance of a use variance for those establishments that are located in a zone that does not permit the sale of alcoholic beverages, i.e., a residential zone, thereby disenfranchising the communities from regulating the existing non-conforming use and which in reality is an expansion of the non-conforming use, which is prohibited under the provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq.; and,

WHEREAS, S2606/A1850 would increase the costs for police services in the municipalities where these non-conforming establishments exist as the municipality would be precluded from utilizing the services of part-time Special Law Enforcement Officers to assist regular Police Officers in the enforcement of local ordinances and state statute and instead would have to appoint more full-time regular Police Officers; and,

WHEREAS, Assemblyperson David Rible, who represents the Borough of Sea Girt, has been a vocal opponent of the passage of these bills and we thank him for his responsiveness to the concerns expressed by his constituents.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt, that our opposition to the enactment of these bills be placed on the record.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be sent to Governor Christie, Lt. Governor Guadagno, Senator Stephen Sweeney, Senator Robert Singer, Assemblyperson Sean Kean and David Rible, and the sponsors and co-sponsors of S2606/A1850 as noted above and Mothers Against Drunk Driving.

#### Recorded Vote:

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

### 9. **Resolution No. 80-2017:** Payment of bills

BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt that the bills be paid as appearing on the attached Bill List date April 21, 2017 in the totals as follows:

CURRENT FUND	\$ 462,514.14
WATER/SEWER OPERATING FUND	2,740.04
BEACH OPERATING FUND	6,758.35
TRUST FUND	19,039.40
RECREATION TRUST FUND	3, 207.51
GENERAL CAPITAL	31,598.76
DOG TRUST FUND	108.60

#### Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley			Х	
Councilman Meixsell	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	. X			Х*
Councilman Rotolo	Х			

<sup>\*</sup>Councilperson Mulroy abstained from payment of the Davison, Eastman & Munoz PA bill.

## 10. PUBLIC PARTICIPATION ON ANY SUBJECT (Comments limited to 7 minutes)

John O'Grady, The Terrace, would like to have street names on the boardwalk; identify access points; no bikes on boardwalk after 9:30 am; bikes should have warning devices; no cars should idle when parked near beach; asked for weekly updates on The Terrace.

Robert Kregg, Boston Blvd., commented on the requested moratorium waiver and noted that if the cost is even \$100,000, that represents less than 2% of the potential sale price of one of the two homes; he also noted that the contractor has the option of constructing the house to which the utility connection exist and building the new structure now, simply delaying the utility connections for that home until next year when the moratorium ends.

There being no further comments, the public hearing was closed at 9:25 PM. There being no further business, and **UPON MOTION** of Councilperson Morris, seconded by Councilperson Meixsell, carried, that the meeting be finally and immediately adjourned at 9:30 PM.

Lorraino P. Carafá

LORRAINE P. CARAFA, RMC Municipal Clerk

. ———— PO #	PO Date	Vendor		PO Description	Status	Amount	Void Amount	PO Type
	01/12/17		MARK WOSZCZAK MECH.CONTS. INC.		0pen	3,125.00		
	01/12/17		AQUATIC SERVICES, INC.		4	510.00		
	01/12/17		Optimum	2017 service PD	0pen	97.27	0.00	
	01/12/17		Optimum	2017 services H20	Open			
17000096			-Optimum		0pen			
17000138			W.B. MASON COMPANY, INC.	Office Supplies	Open	35.11	0.00	
	01/23/17		DRAEGER SAFETY DIAGNOSTIC, INC.		Open	221.08	0.00	
			Penn State Justice & Safety	Budgeting for LE, J Macko		345.00	0.00	
	01/27/17		MON. CTY. POLICE ACADEMY	Field Training, Fasano/Bolchun		50.00	0.00	
	01/30/17		Greer Law Firm	Public defender services	Open	250.00	0.00	
	02/16/17 02/17/17		AMERICAN UNIFORM & SUPPLY	Patches	Open Open	330.00	0.00	
			Lifesavers, Inc.	AED battery	Open	134.00	0.00	
	02/17/17		CARDIAC SCIENCE CORP.	AED Battery	Open	249.00	0.00	
	02/17/17		South Jersey Energy	Natural Gas supplier	Open	545.81	0.00	
	02/17/17		South Jersey Energy	Natural Gas Supplier	Open	77.39	0.00	
	02/17/17		South Jersey Energy	Natural Gas supplier	Open	12.22	0.00	
	02/22/17		A'S GARDEN & HOME CENTER	Blanket	0pen	17.98	0.00	
	02/27/17		AMERICAN UNIFORM & SUPPLY	Casterlin, uniform	- 1	230.97	: 0.00	
	02/27/17		AMERICAN UNIFORM & SUPPLY	Dolan Uniform	Open	128.98	0.00	
	02/27/17		AMERICAN UNIFORM & SUPPLY	Eldershaw, uniform	Open	208.97	0.00	
	02/27/17		WILFRED - MACDONALD	Parts	Open	830.26	0.00	
	02/27/17		The Law Offices of	Sanzari,1&3 New York B12, L2&3	0pen -	154.00	0.00	
	02/28/17		Jersey Cape Diagnostics	2017 Beach Badges	0pen	1,334.94	0.00	
	03/02/17		NJ Public Safety Accreditation		Open	300.00	0.00	
	03/02/17		Lowe's Business Credit	Asphalt patch	0pen	250.80	0.00	
	03/03/17		Atlantic Tactical	Holsters	0pen	285.60	0.00	
	03/06/17		ALLISON PEST CONTROL	Termite Renewal	0pen	185.00	0.00	
	03/06/17		DIRECTPARTS	Steering gear	0pen	713.50	0.00	
	03/08/17		YARDVILLE SUPPLY CO.	Lime	Open	2,052.50	0.00	
	03/09/17		KEMPTON FLAG	Flags	0pen	2,015.10	0.00	
	03/15/17		POLAR AIR OF NJ, INC.	Remove and replace duct work	0pen	6,950.00	0.00	
	03/15/17		Davison, Eastman & Munoz PA	Invoice through 2/28/17	0pen	308.00	0.00	1
17000318	03/15/17	01625	GRAINGER	Snow removal suppies	0pen	203.80	0.00	
	03/15/17		Central Jersey Equipment LLC	Mower	0pen	6,500.00	0.00	
	03/20/17		TREVOR PALMER	Reimbursement, C2 application	0pen	70.00	0.00	
17000324	03/22/17	00334	HOME DEPOT CREDIT SERVICES	Locks	Open	1,999.50	0.00	В
17000326	03/22/17	SUAREZ	Suarez & Suarez Attorneys at	Walker litigation	0pen	40.00	0.00	
17000327	03/22/17	00171	MUN. CLERKS ASSOC./MON. CTY.	2017 Dues, L. Carafa	Open	75.00	0.00	l.
17000328	03/22/17	01625	GRAINGER	Occupancy sensor	Open	98.43	0.00	1
	03/22/17		MARK WOSZCZAK MECH.CONTS. INC.	Repair damage from JCP&L truck	Open	1,972.50	0.00	
17000331	03/23/17	H2M	H2M Associates, Inc.	R 96-2016 Water/waste water	Open	475.00	0.00	В
	03/23/17		KAREN S. BRISBEN	Reimbursement, mileage	Open	41.73		
	03/23/17		The Law Offices of	O'Connell, 705 Boston	Open .	112.00	0.00	
	03/23/17		The Law Offices of	Valentino, 108 Seaside, B29 L4		140.00	0.00	
	03/24/17		STAPLES ADVANTAGE	Supplies	0pen	64.03	0.00	
	03/27/17		BORDEN'S	Name plates	0pen	93.98	0.00	
	03/29/17		Patricia F. Gibbs	Reimbursement, Social Affairs	Open	102.90	0.00	
	03/30/17		LORRAINE P. CARAFA	Reimbursement	0pen	213.59	0.00	
	03/30/17		AMERICAN UNIFORM & SUPPLY	Uniform pant, McCrossan	Open .	72.99		
			Patrick & Pamela Sullivan	Refund PLanning Brd Escrow	Open -	4,083.00		
	04/03/17		Mr. Michael O'Neill	Refund Planning Brd. escrow	Open	1,844.60	0.00	
			John Holthusen	Refund planning brd. escrow	Open	2,107.80	0.00	
			Coastal Modular Group	Refund planning Brd. escrow	Open	3,303.00	0.00	
	, ,		Robert J. Schwartz	Refund planning brd. escrow	Open	2,010.00	0.00	
71 000 JOS	A-1/03/11	Julinal IA	NODEL DE DEHMALEZ	notation producting proceeding	oheii	FINTHION	V100	

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

Page No: 3

PO #	PO Date	Vendor		PO Description	Status	Amount V	oid Amount	РО Туре
17000394 17000395		TAXAD01 00187	Steven H. Lipsitz & Robert N. County Tax Administrator MON. CTY. ASSESSORS ASSOC. LORRAINE P. CARAFA	Refund planning brd. escrow Assessment-Cards mailed 2017 Dues S Kineavy Reimbursement, Flags	Open Open Open Open	1,666.00 449.82 150.00 1,304.70	0.00 0.00 0.00 0.00	
Total Pu	ırchase Or	ders:	108 Total P.O. Line Items:	O Total List Amount:	187,961.33	Total Void Am	ount:	0.00

16-00098-08	Twp. Of Wall Reimburse Credit Card fees	281.39
17000167	Terrie MergnerEaster Celebration Face Paint	ing 260.00
	State of NJ Health Benefits	46,168.42
		234,671.14

Totals by Year-Fund Fund Description Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND 6-01	350.00	0.00	350.00	0.00	0.00	350.00
WATER OPERATING 6-05	2,650.00	0.00	2,650.00			
BEACH OPERATING 6-09 Year Total:	0.00 3,000,00 114,327.94	<u>105.00</u> 105.00	105.00 3,105.00	0.00	0.00	105.00 3,105.00
CURRENT FUND 7-01	<del>-67,618.13</del>		67,618.13	0.00	0.00	67,618.13
WATER OPERATING 7-05	81,877.72	0.00	81,877.72	0.00	0.00	81,877.72
BEACH OPERATING 7-09	4,358.07	0.00	4,358.07	0.00	0.00	4,358.07
TRUST OTHER 7-25	406.00	15,014.40	15,420.40	0.00	0.00	15,420.40
BOARD OF RECREATI 7-26 Year Total:	67.64 154,327.56	0.00 15,014.40	67.64 169,341.96		0.00	67.64 169,341.96
GENERAL CAPITAL C-04	15,293.29	0.00	15,293.29	0.00	0.00	15,293.29
GRANT FUND G-02	221.08	0.00	221.08	0.00	0.00	221.08
Total Of All Funds:	-172,841.93	15,119.40	187,961.33	0.00	0.00	187;961.33
	219.551.74		•	•		234.671.14