

**Borough of Sea Girt
Borough Council
Minutes - Reorganization and Regular Meetings
January 6th, 2016**

The Reorganization Meeting of the Borough of Sea Girt Council was called to order by Mayor F. Ken Farrell at 7:30 PM on Wednesday, January 6, 2016 at the Sea Girt Elementary School, Bell Place, Sea Girt. Mayor Farrell asked for a moment of silence, and 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	X	
Councilman Foley	X	
Councilman Buonocore	X	
Councilwoman Morris		X
Council President Fetzer	X	
Councilman Mulroy	X	
Councilman Rotolo	X	

2. ADMINISTERING THE OATHS OF OFFICE

Assemblyman Rible thanked the Council for their efforts on behalf of our residents, wished everyone a happy, healthy, and peaceful New Year and acknowledged the Fire Department volunteers before administering the Oaths of Office to:

- a. F. Ken Farrell - Mayor
- b. Donald Fetzer - Council Member
- c. Fire Department
- d. Fire Police

3. ELECTION OF COUNCIL PRESIDENT: UPON MOTION of Councilperson Mulroy, seconded by Councilperson Buonocore, carried, that Donald Fetzer be and he is hereby appointed as Borough Council President for the year 2016.

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. CONSENT AGENDA (All matters listed hereunder are considered to be routine in nature and will be enacted in one motion. Any person may request that an item be removed for separate consideration).

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- **Resolution No. 01-2016 - 2016 Re-Organization Appointments**

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

BE IT RESOLVED that the following list of the Councilmanic Committees, Special Committees, Appointees, Employees and Boards and Commission members be and the same are hereby confirmed:

COUNCILMANIC COMMITTEES 2016

1. PUBLIC SAFETY

Chairman	Anne B. Morris
Member	Michael Mulroy
Member	James E. Rotolo

Police Department	Anne B. Morris
Fire Department	Michael Mulroy
First Aid Service	James E. Rotolo
Code Enforcement: Zoning and Civil	Anne B. Morris
Board of Health	James E. Rotolo
Municipal Court Liaison	Anne B. Morris

2. PERSONNEL, ADMINISTRATION & SCHEDULING

Chairman	Fredric Buonocore
Member	Anne B. Morris
Member	Michael Mulroy

Administrative & Executive	Fredric Buonocore
Tax Assessment & Collection	Fredric Buonocore
Legal Support	Michael Mulroy
Charities	Anne B. Morris
Welfare	Michael Mulroy
Public Communication	Anne B. Morris

3. PUBLIC BUILDINGS, GROUNDS, LANDSCAPING

Chairman	Fredric Buonocore
Member	Anne B. Morris
Member	Michael Mulroy

Borough Hall & Library Maintenance	Fredric Buonocore
Shade Tree Commission Liaison	Michael Mulroy
Sea Girt Lighthouse Citizens' Comm. Liaison	Anne B. Morris
Borough Beautification Liaison & Special Civic Programs	Anne B. Morris

4. **PUBLIC WORKS**

Chairman	F. Ken Farrell
Member	Anne B. Morris
Member	Michael Mulroy
Borough Maintenance Supervisor	F. Ken Farrell
Borough Engineering Support	F. Ken Farrell
Roadway, Walkway & Curbs	F. Ken Farrell
Borough Drainage Systems	F. Ken Farrell
Beach Maintenance	Michael Mulroy & Anne B. Morris
Boardwalk Maintenance	Michael Mulroy & Anne B. Morris
Park Maintenance	Anne B. Morris
Borough Maintenance	Michael Mulroy
Borough Sewerage System	F. Ken Farrell
Garbage, Trash & Refuse Collection & Disposal	Michael Mulroy
Recycling Programs	Michael Mulroy

5. **WATER DEPARTMENT MANASQUAN RESERVOIR WATER SYSTEM LIAISON**

Chairman	Donald Fetzer
Member	William Foley
Member	James E. Rotolo

6. **BEACHFRONT MANAGEMENT**

Chairman	Michael Mulroy
Member	William Foley
Member	James E. Rotolo
Beachfront Manager & Beach Operations	William Foley & James E. Rotolo
Boardwalk Operations	Michael Mulroy
Boardwalk Concession Supervision	Michael Mulroy

7. **BOROUGH RECREATION**

Chairman	James E. Rotolo
Member	Donald Fetzer
Member	Michael Mulroy

8. **BOROUGH LIBRARY OPERATION**

Chairman	Anne B. Morris
Member	Fredric Buonocore
Member	William Foley

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9. ENVIRONMENTAL & WETLAND CONSERVATION

Chairman	William Foley
Member	Donald Fetzer
Member	Anne B. Morris

Beach Conservation & Dune Protection	Anne B. Morris
Clean Ocean Water Programs	Donald Fetzer
Wreck Pond Improvement & Protection	William Foley
Coastal Access Representative	William Foley

10. INSURANCE AND LABOR NEGOTIATIONS

Chairman	Donald Fetzer
Member	Fredric Buonocore
Member	William Foley

11. FINANCE, EQUIPMENT, VEHICLES & CAPITAL IMPROVEMENT PLAN

Chairman	William Foley
Member	Fredric Buonocore
Member	Donald Fetzer

B. SPECIAL COMMITTEES:

Monuments Committee	Chairman	1yr.	Anne B. Morris
	Member	1yr.	Richard Sudowsky
	Member	1yr.	Lora Davella
	Member	1yr.	Marie Mueller
	Member	1yr.	Vacant
Zoning & Code Enforcement	Chairman	1yr.	Anne B. Morris
	Member	1yr.	Michael Mulroy
	Member	1yr.	James E. Rotolo
Beach, Boardwalk & Washington Blvd.	Chairman	1yr.	Michael Mulroy
	Member	1yr.	William Foley
	Member	1yr.	Robert Doremus
	Member	1yr.	Kathy Branch
	Member	1yr.	Mary Beth Gregg

** Non-Council Appointments are being made to assist Council Members in their duties.

JIF SAFETY COMMITTEE

Public Works	Jared McKittrick
Police Department	James Kremp
Beach Department	James Freda
Fire Department	Edward J. Sidley
Administration	Lorraine Carafa

**EMERGENCY MANAGEMENT LAW ENFORCEMENT PLANNING
COMMITTEE (EMERGENCY MANAGEMENT COUNCIL)**

Mayor and Director	F. Ken Farrell
Public Safety Director	Anne B. Morris
Committee Member	Michael Mulroy
Emergency Management Coordinator	Tim Harmon
Deputy OEM Coordinator	Edward J. Sidley
Finance/Administrative Representative	William Foley
Law Enforcement Representative	Chief Kevin Davenport
Fire Department Representative - Safety Officer	Christopher Willms
EMS Representative - Manasquan 1 st Aid Squad Capt.	Mike Lauber
Public Works Representative	Jared McKittrick
Ocean Front Water Operations - Beach Manager	James Freda
Health Department Representative	Lorraine P. Carafa
Sea Girt School Representative	Dineen Seeley

MONMOUTH COUNTY JOINT INSURANCE FUND

Insurance Fund Commissioner	Lorraine P. Carafa
Alternate Fund Commissioner	Jane Hunnewell

C. APPOINTMENTS CONFIRMED BY COUNCIL

Borough Administrator	Lorraine P. Carafa
ADA Coordinator/Alternate	Lorraine P. Carafa/Jared McKittrick
Assistant, Finance Office	Jane Hunnewell
CDBG Representative/Alternate	Lorraine P. Carafa/Jared McKittrick
Clean Communities Coordinator	Jared McKittrick/Robert McArthur
Construction Official (pursuant to Interlocal Svs. Agreement)	Albert (Sandy) Ratz
Deputy Borough Clerk/Registrar	Dawn Harriman
Deputy Registrar	Lorraine P. Carafa
Alternate Deputy Registrar	Karen Brisben
Deputy Tax Collector	Linda McGeehan
Emergency Management Coordinator	Timothy Harmon
Deputy Emergency Management Coordinator	Edward J. Sidley
Fire Protection Official	Christopher Willms
Librarian	
Licensed Water Plant Operator	Michael McArthur
Police Chief	Kevin Davenport
Public Agency Compliance Officer (PACO)	Lorraine P. Carafa
Public Works Manager	Jared McKittrick
Qualified Purchasing Agent	Lorraine P. Carafa
Recycling Coordinator	Robert McArthur
SEMMUA Representative/Alternate	Lorraine P. Carafa/Michael McArthur
Utility Collector	Linda McGeehan
Zoning Official/Code Enforcement Officer	James Quigley

D. BOARDS AND COMMISSIONS:

PLANNING/ZONING BOARD

Planning Board, Class I - Mayor’s Representative (1 year term)	Raymond Petronko	December 31, 2016
Planning Board, Class II (1 year term)	Karen Brisben	December 31, 2016
Planning Board Class III (1 year term)	Anne B. Morris	December 31, 2016
Planning Board, Class IV – 4 year term	Lawrence Benson	December 31, 2016
Class IV – 4 year term	Brett Violette	December 31, 2016
Class IV – 4 year term	Norman Hall	December 31, 2017
Class IV – 4 year term	Chris Randazzo	December 31, 2018
Class IV – 4 year term	Donald Laws	December 31, 2018
Class IV – 4 year term	Donald McLaughlin	December 31, 2016
Alternate #1 – 2 year term	Carla Abrahamson	December 31, 2017
Alternate #2 - 2 year term	Eileen Laszlo	December 31, 2016

BOARD OF HEALTH

Chairman	James E. Rotolo	December 31, 2017
Member	Joseph Amberg	December 31, 2016
Member	Lorraine P. Carafa	December 31, 2016

BOARD OF RECREATION COMMISSIONERS

Chairman	Michael D’Altrui	December 31, 2016
Member	Kevin Reid	December 31, 2017
Member	Mark Leddy	December 31, 2018
Member	Jennifer Perry	December 31, 2019
Member	Lori Loughlin	December 31, 2020

SHADE TREE COMMISSION

Chairman	Michael Matthews	December 31, 2017
Member	Lorraine P. Carafa	December 31, 2016
Member	John O’Grady	December 31, 2018
Member	Frank Sharp	December 31, 2018
Member	Michael Meixsell	December 31, 2019
Member	Joseph Amberg	December 31, 2020
Member	Jared McKittrick	December 31, 2020

SHORE COMMUNITY ALLIANCE

Member	Fredric Buonocore	December 31, 2016
Member	Chief Kevin Davenport	December 31, 2016
Member	Dineen Seeley	December 31, 2016

E. APPOINTMENTS:

2016 Sea Girt Fire Company Roster:

Line Officers:

Chief of Department: Edward Sidley
 Assistant Chief: Carl Scipione
 Captain: William Loughran Jr.
 First Lieutenant: Brandon Fetzer
 Second Lieutenant: Timothy J. Sidley
 Chief Engineer: Albert “Sandy” Ratz
 Assistant Engineers: Bob Durna, William Baeszler, Phil Brisben, Pat Cavanaugh
 Fire Police Captain: Edwin “Ted” Griffin
 Fire Police Lieutenant: Wayne Dreyer

Fire Department Active Members:

Bill Baeszler, Doug Bohrer, Tom Branch, Dan Brennan, Phil Brisben, Pat Cavanaugh, Tom Crawley, Jack deCastro, Bob Durna, Mike Falciani, Don Fetzer, Brendan Fetzer, John Gibbs, Kevin Hanley, Timothy Harmon, Keith Heilos, Dan Herzog, Ken Jelliff, Biff Joule, Bill Loughran, Christine Loughran, Don Loughran, Victoria Loughran, Jack Lucid, Michael McArthur, Tom McNamara, Jared McKittrick, George Molyneaux, Mike Mulroy, Earl Ownes, KJ Pringle, Chris Randazzo, Sandy Ratz, Joe Romaine, Carl Scipione, Edward Sidley, Timothy Sidley, Rich Sudowsky, Ray Thorn, Joe Tompey, Dick Venino, Chris Willms

Fire Department Junior Members:

Chris Heilos, Connor Brennan, Dylan Ownes

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			

- **Resolution No. 02-2016: UPON MOTION** of Councilperson Buonocore, seconded by Councilperson Foley, carried, that the following Resolutions be and the same is hereby adopted:

A. Approving Conduct of Council Meetings

WHEREAS, the Governing Body of the Borough of Sea Girt recognizes the right of any member of the public to address the Council on matters of public concern, and wishes to ensure the orderly conduct of Council meetings in an atmosphere of civility and decorum, the following rules are established.

1. Any person wishing to address Council must first be recognized by the Mayor or presiding officer.

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2. Upon being recognized such person shall advance to the lectern facing the Governing Body and, using the microphone, state his or her name and address.
 - A. Persons addressing Council shall be limited to 7 minutes for Public Participation (on agenda items), and shall confine their comments to the issue at hand.
 - i. This time limitation may be extended by the presiding officer in exceptional situations, or where the Mayor or presiding officer determines that the topic or circumstances warrant allotting more time for the speaker.
 - B. Persons addressing Council shall be limited to 7 minutes for Public Participation on any Subject.
 - C. Person addressing Council shall be limited to 4 minutes for Public Hearing comments.
3. All statements or questions shall be directed to the Council as a body and not to any individual Council member. No person other than a member of Council shall enter into any discussion with the person having the floor without the express permission the presiding officer.
4. Persons addressing Council may not approach the Council table without first obtaining permission from the presiding officer and shall not leave the lectern to disseminate any material to other members of the Public in attendance.
5. All statements or questions shall be expressed in a non-belligerent and civil manner, and no person addressing the council shall conduct him or herself in a boisterous manner, nor shall a person engage in any other behavior which disrupts or otherwise interferes with the conduct of a meeting.
6. Violation of any of these rules may result in a direction that the offending person resume his or her seat so that the meeting can proceed in an orderly manner, except that it the speaker shall submit to proper order under these rules, permission for him or her to continue may be granted by a majority of the Council.
7. Refusal to comply with these rules may result in the expulsion of the offender from the meeting.
8. At the request of the Mayor or presiding officer, the Sea Girt Police Department shall designate a member of the Department to serve as sergeant-at-arms at Council meetings and he or she shall carry out all orders and instructions given by the Mayor or presiding officer for the purpose of maintaining order and decorum at such meetings.
9. Each Council member shall cooperate with the Mayor and presiding officer in preserving order and decorum, and no member shall, by conversation or otherwise, delay or interrupt the proceedings of the Council, nor disturb any member, or fail to abide by the orders of the Mayor or presiding officer, unless granted permission to do so by the Mayor or presiding officer.

B. Resolution No. 02.2-2016: Council Meeting Schedule

WHEREAS, it is required pursuant to the Laws of the State of New Jersey that the Governing Body of a municipality meet regularly at a place and time so designated, and that said schedule be prominently posted and advertised.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt, that Regular Meetings of the Borough Council will be held during 2016 as follows:

ANNUAL MEETING NOTICE

In compliance with the “Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) please find the following schedule of annual Regular Meetings for the year 2016. All meetings are open to the public, and all meetings may require that the Mayor and Council of the Borough of Sea Girt recess into Executive Session. These meetings will be held at 7:30 PM at Sea Girt Elementary School, Bell Place, Sea Girt, NJ. Official action may be taken at each of the meetings for the Sea Girt Borough Council. The meeting dates shall be as follows:

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January 6, 2016	April 13, 2016	August 10, 2016
January 27, 2016	April 27, 2016	September 14, 2016
February 10, 2016	May 11, 2016	September 28, 2016
February 24, 2016	May 25, 2016	October 12, 2016
March 9, 2016	June 8, 2016	October 26, 2016
March 23, 2016	June 22, 2016	November 9, 2016
	July 13, 2016	December 7, 2016

BE IT FURTHER RESOLVED that the 2017 Reorganization Meeting of the Borough Council will be held on January 4, 2017 at 7:30 PM at the Sea Girt School, Bell Place.

C. Resolution 02.3-2016: Designate Official Newspapers

WHEREAS, Section 3(d) of the open Public Meetings Act, Chapter 231, P.L. 1975, requires that notice of meetings be submitted to two (2) newspapers, designated as the official newspapers of the Borough.

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 Coast Star* and *The Asbury Park Press* shall be designated as the official newspapers of the Borough of Sea Girt for the year 2016.
2. This Resolution shall take effect immediately.

D. Resolution No. 02.3-2016: Resolution Naming Authorized Depositories for Borough Of Sea Girt

BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that the Chief Financial Officer is hereby designated custodian of all funds of the Borough of Sea Girt and is directed to deposit such funds in one or more of the following banks, their successors or assigns, pending investment or reinvestment thereof:

Amboy Bank
Investors Savings Bank
Manasquan Savings Bank
Provident Bank
TD Bank NA

BE IT FURTHER RESOLVED that the Chief Financial Officer is authorized to invest idle funds periodically, provided that he shall report such investment to the Governing Body in accordance with N.J.S.A. 40A:5-15 and such reports shall be noted in the Minutes of a Regular Meeting of the Governing Body.

BE IT RESOLVED, by the Council of the Borough of Sea Girt that the following Borough Officials are hereby authorized to sign checks or withdrawal slips, a single signature is required for payroll checks and any two of the authorized signatures are required for all other checks:

Lorraine P. Carafa
Karen Brisben
F. Ken Farrell
Edward Hudson

BE IT FURTHER RESOLVED that the signature cards with the signatures of the persons authorized to sign be forwarded to Manasquan Bank.

E. Resolution No. 02.5-2016: Charge Fee for a Returned Check

WHEREAS, the Borough Council of the Borough of Sea Girt has been asked by the Municipal Court, Tax, Licensing, Beach and Water and Sewer Depts. to adopt fees and charges according to law for returned checks and instruments payable to the Borough of Sea Girt and its public persons and related entities which are not in fact paid as a result of same failing to comply with appropriate provisions of the Banks upon which they are drawn and/or by reason including N.J.S. 40:5-18; and,

WHEREAS, the Borough Council deems it in the best interest of the Borough that these costs and charges should be paid by and passed on to the person or persons or entities writing said instruments and/or utilizing said instruments in an attempt to pay for services and/or fines and/or other obligations owing to the Borough of Sea Girt.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Sea Girt in the County of Monmouth and State of New Jersey does hereby adopt this Resolution setting forth as a fee for uncollected checks, checks with insufficient funds and other financial instruments and per N.J.S. 40:5-18 and other legal authority and the power therein set forth enabling a municipality to adopt and set said fee by Resolution and/or Ordinance and the Borough deeming it sufficient to do same by Resolution.

BE IT FURTHER RESOLVED that a Twenty-Five Dollar (\$25.00) fee shall be and is hereby set per check or other instrument for a service charge and same shall be payable to the Borough of Sea Girt and/or Municipal Court of the Borough of Sea Girt as appropriate and deposited in the appropriate accounts pursuant to law.

BE IT FURTHER RESOLVED this Resolution shall take effect immediately upon its adoption by the Sea Girt Borough Council.

F. Resolution No. 02.6-2016: Resolution Authorizing The Change Funds For The Beach Utility And The Administrative And Collection Offices Of The Borough

WHEREAS, it has been deemed necessary to establish a change fund for the use of the Beachfront Office of the Bathing Pavilion, and said fund will be maintained during the summer season and terminated at the close of the Beachfront Office in September; and,

WHEREAS, it has been deemed necessary to establish a change fund for the use of the Administrative and Collection Offices of the Borough of Sea Girt.

NOW, THEREFORE, BE IT RESOLVED, that a check be drawn to the Beach Cashier in the amount of Two Thousand Dollars (\$2,000.00) for the establishment of a Beachfront Change Fund.

BE IT FURTHER RESOLVED, that a check be drawn to the Municipal Clerk for use of the Borough Administrative and Collection Offices of the Borough of Sea Girt in the amount of One Hundred Dollars (\$100.00) for the continuation of a Municipal Operations and Tax Collections Change Fund.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be supplied to the Chief Financial Officer for his information and action as necessary.

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G. Resolution No. 02.7-2016: Resolution Granting Permission To Pay Certain Bills Prior To Council Meetings

WHEREAS, due to the meeting schedule of the Mayor and Council, the payment of certain bills is occasionally necessary in advance of the Regular Meeting date.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt that the Mayor and other authorized signatories are hereby authorized to sign checks for the following purposes, subject to approval at the next meeting of Council, and subject to the availability of funds:

1. *School Taxes*
2. *County Taxes*
3. *Payrolls – all obligations*
4. *Health Benefits*
5. *Insurance Premiums*
6. *Employee related contractual obligations, garnishments, liens, unemployment, etc.*
7. *Postage – replenish meter*
8. *Recreation Trust Fund Expenses*
9. *Debt Service*
10. *Petty Cash Fund*
11. *Petty Cash Fund – replenish fund*
12. *Gasoline Purchases*
13. *Trust Fund – TTL Redemptions*
14. *Government Fees, Applications, Etc.*
15. *Dated Bills carrying Interest or Late Charges*

BE IT FURTHER RESOLVED, that a certified copy of this resolution be supplied to the Chief Financial Officer for his information and action as necessary.

H. Resolution No. 02.8 – 2016: Resolution To Authorize A Grace Period For Property Tax Payments and Set The Interest Rate For Delinquent Property Tax Payments

WHEREAS, property taxes are due and payable according to law, on the first of February, May, August and November of the calendar year; and,

WHEREAS, pursuant to the provisions of *N.J.S.A. 54:4-67*, the governing body of the Borough of Sea Girt has determined that it is appropriate to set a grace period for the payment of taxes until the 10th day of February, May, August and November after which the payments shall become delinquent with interest due and payable from the first day of the quarter; and,

WHEREAS, Chapter 75, P.L. 1991, provides for a six percent flat penalty at the close of the fiscal year to be charged on delinquencies over \$10,000; delinquencies being defined as all unpaid property taxes and municipal charges;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt, the Tax Collector to charge interest on delinquent taxes from the date that same were first due and payable at 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00.

BE IT FURTHER RESOLVED, that the Borough Council authorizes the Tax Collector to charge a six (6%) percent flat penalty at the close of 2016 on delinquencies over \$10,000.

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BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

I. Resolution No. 02.9-2016: Resolution To Charge Fee To Persons Who Request Notices of Meetings Be Mailed To Them Individually

WHEREAS, Section 14 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the public body to fix a reasonable sum to be charged to persons who request that notice of meetings as required under the Act be mailed to them individually; and,

WHEREAS, said sum is to cover the costs of providing such notice; and,

WHEREAS, said section further permits the public body to provide such notices free of charge to news media who so request said notice.

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. Each person who requests that individual notice as required under the Act be mailed to him or her shall pay annually to the Borough of Sea Girt the sum of \$25.00 to cover the costs thereof.
2. Requests for such individual notice made by news media shall be granted without cost.
3. The sum herein designated is subject to change upon the adoption of a superseding resolution by this public body.

J. Resolution No. 02.10-2016: Resolution Providing Defense Fees For Police

WHEREAS, *N.J.S.A.* 40A:14-155 provides that the governing body of a municipality shall provide police officers with the necessary means of defense of an action or proceeding brought against them arising out of and directly related to the lawful exercise of police powers and in the furtherance of his official duties;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Girt that the Public Safety Sub-Committee is authorized to consent to a police officer’s request for representation by private defense counsel provided, however, that the Borough of Sea Girt will be responsible for the payment of the attorney’s fees only if it is determined that the acts charged against him were directly related to the lawful exercise of police powers in the furtherance of the officer’s official duties. In no event will such fees exceed \$200.00 per hour for preparation and consultation or \$750.00 per court appearance.

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			

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5. **Resolution No. 03-2016:** Award Professional Services Contract – Bond Counsel – Kerry Morgan of the firm Davison, Eastman, Munoz, PA

UPON MOTION of Councilperson Rotolo, 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 December 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 provision for the contract shall be made in the appropriation entitled Legal Services, Contractual in the 2016 Temporary Budget and the 2016 Budget as finally adopted.

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			

6. **Resolution No. 04-2016:** Award Professional Services Contract – Borough Attorney – Nicholas C. Montenegro of the firm Montenegro, Thompson, Montenegro and Genz

UPON MOTION of Councilperson Rotolo, 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 Borough Attorney, as a not-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5; and

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WHEREAS, the Borough Clerk has determined and certified in writing that the value of the services to be provided will exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is 1 year and may be extended as many times as approved by this governing body; and

WHEREAS, Nicholas Montenegro of the firm of Montenegro, Thompson, Montenegro & Genz, P.C., has submitted a proposal dated December 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, the Chief Financial Officer has certified that provision for the contract shall be made in the appropriation Legal Services, Contractual in the 2016 Temporary Budget and 2016 Budget as finally adopted.

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 professional as described herein.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published in The Coast Star 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			

7. **Resolution No. 05-2016:** Award Professional Services Contract– Labor Attorney – Mark S. Ruderman of the firm Ruderman, Horn & Esmerado, PC

UPON MOTION of Council President Fetzer, seconded by Councilperson Foley, 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 Borough Labor Attorney, 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 Borough Clerk has determined and certified in writing that the value of the services to be provided will exceed \$17,500.00; and,

WHEREAS, the anticipated term of this contract is 1 year and may be extended as many times as approved by this governing body; and,

WHEREAS, Mark Ruderman of the firm of Ruderman, Horn and Esmerado, PC has submitted a proposal dated December 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,

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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 provision for the contract shall be made in the appropriation entitled Legal Services, Contractual in the 2016 Temporary Budget and the 2016 Budget as finally adopted.

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 professional as described herein.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published in The Coast Star 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			

8. Resolution No. 06-2016: Award Professional Services Contract – IT Consultants - Cross Over Networks

UPON MOTION of Council President Fetzer, seconded by Councilperson Rotolo, 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 IT Consultant, 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 Borough Clerk has determined and certified in writing that the value of the services to be provided will exceed \$17,500.00; 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, the firm of Cross Over Networks has submitted a proposal dated December 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, the Chief Financial Officer has certified that provision for the contract shall be made in the appropriation entitled Clerk, Contractual and other appropriations as necessary in the 2016 Temporary Budget and the 2016 Budget as finally adopted.

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 professional as described herein.

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BE IT FURTHER RESOLVED, that a copy of this resolution shall be published in The Coast Star 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			

9. **Resolution No. 07-2016:** Award Professional Services Contract – Municipal Prosecutor, James Carton, IV

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

WHEREAS, there exists a need for the professional services of a Borough Prosecutor; and,

WHEREAS, provision for this contract will be made available in an appropriation entitled “Municipal Court, Contractual Services” in the 2016 temporary budget and the 2016 budget as finally adopted; and,

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids must be advertised within ten (10) days of the date of adoption and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt as follows:

1. The Borough Council of the Borough of Sea Girt hereby appoints James V. Carton, IV as the Prosecutor for the Borough of Sea Girt for the period January 1, 2016 through December 31, 2016, inclusive and until his successor be appointed.
2. This contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law. James V. Carton, IV is authorized by law to practice a recognized profession in the State of New Jersey.
3. A copy of this Resolution shall be made available for public inspection at the Borough Clerk’s Office during regular office hours.

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			

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10. Resolution No. 08-2016: Award Professional Services Contract, Alternate Municipal Prosecutor, Ronald Sage

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

WHEREAS, there exists a need for the professional services of an Alternate Borough Prosecutor in the event that the Borough Prosecutor is unable to appear, and Ronald Sage Esq. has served as Alternate Borough Prosecutor and the Council wishes to re-appoint him; and,

WHEREAS, provision for this contract will be made available in an appropriation entitled “Municipal Court, Contractual Services” in the 2016 temporary budget and the 2016 budget as finally adopted; and,

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids must be advertised within ten (10) days of the date of adoption and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt as follows:

1. The Borough Council of the Borough of Sea Girt hereby appoints Ronald Sage as the Alternate Prosecutor for the Borough of Sea Girt for the period January 1, 2016 through December 31, 2016, inclusive and until his successor be appointed.
2. This contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law. Ronald Sage is authorized by law to practice a recognized profession in the State of New Jersey.
3. A copy of this Resolution shall be made available for public inspection at the Borough Clerk’s Office during regular office hours.

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. Resolution No. 09-2016: Award Professional Services Contract, Public Defender, Donald Greer

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

WHEREAS, there exists a need for professional services of a Borough Public Defender; and,

WHEREAS, provision will be made available in an appropriation entitled “Legal Services and Costs, Other Expenses” in the 2016 temporary budget and in the 2016 budget as finally adopted; and

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WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-1 et. seq.*) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids must be advertised within ten (10) days of the date of adoption and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt as follows:

1. The Borough Council of the Borough of Sea Girt hereby appoints Donald Greer as the Public Defender for the Borough of Sea Girt for the period January 1, 2016 through December 31, 2016, inclusive, and until his successor be appointed.
2. This contract is awarded without competitive bidding as a “Professional Service” in accordance with 40A:11-5(1) (a) of the Local Public Contracts Law. Donald Greer is authorized by law to practice a recognized profession in the State of New Jersey.
3. A copy of this Resolution shall be made available for public inspection at the Borough Clerk’s Office during regular office hours.

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			

12. Resolution No. 10-2016: To Adopt Temporary Budget - Current Fund

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

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth that the following appropriations be made as attached and that a certified copy of this resolution be supplied to the Chief Financial Officer for his information and further action:

See attached schedule

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			

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13. Resolution No. 11-2016: To Adopt Temporary Budget – Water Utility

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

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth that the following appropriations be made as attached and that a certified copy of this resolution be supplied to the Chief Financial Officer for his information and further action:

See attached schedule

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			

14. Resolution No. 12-2016: To Adopt Temporary Budget- Beach Utility

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

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth that the following appropriations be made as attached and that a certified copy of this resolution be supplied to the Chief Financial Officer for his information and further action:

See attached schedule

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			

15. OTHER BUSINESS: None

16. **PUBLIC PARTICIPATION:** Mayor Farrell opened the meeting to the public for comments. There being no comments, by consensus, the public hearing was closed. There being no further Reorganization business, and **UPON MOTION** of Councilperson Buonocore, seconded by Councilperson Mulroy, carried, that the Reorganization Meeting be adjourned at 8:05 PM. The Borough Council moved immediately to the Regular Meeting.

The Borough Clerk conducted a Roll Call and confirmed the presence of all Councilpersons with the exception of Councilperson Morris.

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1. **APPROVE MINUTES** – December 9, 2015 Regular Minutes

UPON MOTION of Councilperson Rotolo, seconded by Councilperson Mulroy, carried, that the Minutes of the Regular Meeting held December 9, 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			

2. **OPEN DISCUSSION:** None
3. **OLD BUSINESS:** None
4. **NEW BUSINESS**

A. Ordinances – introduction

1. **Ordinance No. 01-2016:** The Mayor to read the Ordinance No. 01-2016 by Title:

ORDINANCE NO. 01-2016

**CALENDAR YEAR 2016 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)
IN THE BOROUGH OF SEA GIRT, MONMOUTH COUNTY, NEW JERSEY**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45-15a provides that a municipality may, when authorized by ordinance, appropriation the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Sea Girt in the County of Monmouth finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year’s final appropriations in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$173,942.08 in excess of the increase in final appropriations otherwise permitted by the local Government Cap Law is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

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NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Sea Girt, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that in the CY 2016 budget year, the final appropriations of the Borough of Sea Girt shall, in accordance with this Ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$173,942.08 and that the CY 2016 municipal budget for Borough of Sea Girt be approved and adopted in accordance with this Ordinance.

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final year budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

BE IT FURTHER ORDAINED that a certified copy of this Ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction.

BE IT FURTHER ORDAINED that a certified copy of the Ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within five (5) days after such adopted.

UPON MOTION of Councilperson Foley, seconded by Council President Fetzer, carried, that the following Ordinance be and the same is hereby adopted on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as January 27, 2016.

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. 13-2016:** Appoint Class II SLEO’s: Paul Halas, Samantha Levy, Alec Stender and Valerie Walker

UPON MOTION of Councilperson Rotolo, seconded by Councilperson Foley, 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 four (4) Class II Special Law Enforcement Officer to support its 2016 operations; and,

WHEREAS, the Chief of Police has reviewed the applications and references of qualified candidates, and recommends the appointment of: Paul Halas, Samantha Levy, Alec Stender and Valerie Walker to these positions.

NOW, THEREFORE, BE IT RESOLVED that Paul Halas, Samantha Levy, Alec Stender and Valerie Walker be appointed as Class II Special Law Enforcement Officers for the Borough of Sea Girt, at the hourly rate of \$12.00 per hour, effective immediately.

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

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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. 14-2016: Setting 2016 Beach Fees

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

WHEREAS, the Borough of Sea Girt wishes to set the beach season fees, the season schedule and adopt Beach Regulations for 2016.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Sea Girt that the season schedule and fees for beach access be enacted for the 2016 Beach Season, said season to commence on May 28 through September 5, 2016, inclusive.

	<u>2016 Fees</u>
Season Badge	\$105.00
Daily Badge	\$ 10.00
Senior Season Badge	\$ 55.00
Bath House (includes 5 Season Badges)	\$1,100.00
Senior rate applies to Bath House – for every Senior Badge requested \$50 will be deducted from the total	
Catamaran mooring - season	\$400.00
Kayak Storage – season	\$200.00

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. 15-2016: Authorize Agreement for Animal Control Services, Associated Humane Societies, Inc., \$5,556.50 (no increase in fee)

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

WHEREAS, the Borough of Sea Girt is in need of animal control services for the municipality; and,

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WHEREAS, Sea Girt Borough has entered into animal control agreements previously and wishes to renew its contract for the year 2016; and,

WHEREAS, the Associated Humane Societies, Inc. of Newark, NJ with offices in Tinton Falls, NJ has agreed to provide animal control services as outlined in their contract effective January 1, 2016 through December 31, 2016, inclusive; and,

WHEREAS, Associated Humane Societies, Inc. shall make their services as an animal control officer available to the Municipality on a daily basis, as need, for five days a week, Saturday, Sunday, Holidays and night emergency services as necessary.

NOW, THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Sea Girt, does hereby authorize the following:

- That is contract shall be in the amount of \$5,556.50 for the year; with payments of \$463.00 monthly.
- That the Mayor and Clerk are authorized to execute the Agreement between the Associated Humane Societies, Inc.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to the Associated Humane Societies, Inc.

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. 16-2016:** Authorize Agreement for Nursing Services, VNA Health Group, Inc., \$2,198.00 (in conjunction with services provided by Monmouth County Regional Health Commission No. 1; no increase in fee over 2015 or 2014)

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

WHEREAS, the Borough of Sea Girt is in need of supplemental public health services for the 2016 calendar year; and,

WHEREAS, VNA Health Group, 176 Riverside Ave., Red Bank, NJ 07701, an independent contractor, has offered to provide public health services to the Borough’s residents at the annual cost of \$2,198.00; and,

WHEREAS, the Borough of Sea Girt wishes to enter into an agreement with VNA Health Group, for the 2016 calendar year for the provision of supplemental public health services to Borough of Sea Girt residents.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth that an agreement with VNA Health Group, an independent contractor, be and the same is hereby approved and authorized and the Mayor and Clerk authorized to execute the agreement for the same.

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BE IT FURTHER RESOLVED, that the Clerk of the Borough of Sea Girt shall forward to the VNA of Central Jersey, 176 Riverside Ave., Red Bank, NJ 07701, a certified copy of this resolution and a executed copy of the Agreement to provide supplemental public health services for residents of the Borough of Sea Girt.

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. 17-2016:** Authorize Payment No. 1, Fernandes Construction, Inc., Engineer’s Certificate No. 1, \$683,531.04 (Improvements to Baltimore Blvd.)

UPON MOTION of Councilperson Buonocore, seconded by Councilperson Mulroy, carried, that the following resolution be adopted:

WHEREAS, the Borough Council authorized and awarded a contract to Fernandes Construction, Inc. (Contractor) on September 23, 2015 for the Project known as Improvements to Baltimore Blvd., in the amount of \$783,935.00; and,

WHEREAS, Contractor has submitted an invoice in the amount of \$730,420.62 for work completed to date; and,

WHEREAS, the Borough Engineer has reviewed the invoice and has certified that the invoice as presented is correct and makes the following recommendation: to hold retainage as required by the provisions of the contract: 2% retainage on the total contract award, amounting to \$14,608.41; 10% retainage on Items 13, 30, A1-5 and A2-3 amounting to \$32,281.17, resulting in the recommendation to pay the balance of \$683,531.04.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that Engineer’s Certificate No. 1 as referenced above totaling \$683,531.04 be and the same is hereby approved.

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

1. Fernandes Construction, Inc.
2. Leon S. Avakian, Inc.
3. Chief Financial Officer for his further action.

Recorded Vote:

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

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G. **Resolution No. 18-2016:** Request for Waiver, Stockton Blvd. Road Opening Moratorium, Kevin Egan, Block 54, Lot 3 also known as 307 Stockton Blvd.

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 enacted and currently enforces a five-year moratorium on road openings calculated from the date of the Project close-out on those roads that have recently been repaved during the on-going Road and Infrastructure Improvement Program; and,

WHEREAS, Kevin Egan, owner of record of the property identified as Block 54, Lot 3 on the Tax Map of the Borough of Sea Girt, also known as 307 Stockton Blvd., appeared before the Sea Girt Planning Board with an application for a minor subdivision of the property; said application was approved on March 18, 2015 but he was unable to have utilities installed prior to the road repaving; and,

WHEREAS, Mr. Egan has submitted a request for a waiver from the five-year road opening moratorium on Stockton Blvd. in order to have utilities installed and to proceed with the redevelopment of the property.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Sea Girt that the request of Kevin Egan for a waiver from the five-year moratorium waiver be and the same is hereby approved with the following conditions:

1. A plan of the street opening excavation shall be submitted in advance for review by the Borough Engineer;
2. The size of the opening shall be limited to the size approved by the Borough Engineer.
3. The area shall be restored to pre-opening condition by use of infra-red patch that will be inspected and approved by the Borough Engineer upon completion of the restoration process;
4. All fees associated with the Engineer’s review of plans, pre- and post-opening inspection and the infra-red process are the responsibility of the property owner;
5. A bond in the amount of \$2,500 shall be remitted to the Borough of Sea Girt prior to the commencement of any work associated with this approval.
6. This approval shall expire as of December 31, 2016 if work has not been completed.

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

1. Keith Henderson, Esq., Attorney for the Requestor
2. Peter Avakian, Borough Engineer

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			

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H. **Resolution No. 19-2016:** Change Order and Contract Modification No. 2, Precise Construction, Inc., for the inclusion of Alternate Bid Items A-1, A-2 and A-3(\$307,500) and the correction of Item #32 Unit Price in the original award (\$9,000) for Project #S340468-01(previously approved by Council pursuant to Resolutions No. 161-2015 and No. 176-2015, respectively; per NJDEP staff, Change Order is required). Council President Fetzer asked if the Change Order included a time extension for project completion; Mr. Avakian advised that it does not, and the projected completion date is the same – May 15.

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 of Sea Girt originally awarded a contract to Precise Construction, Inc., Freehold, NJ for the Project known as Baltimore Blvd. and Neptune Place Outfalls Extension and Infrastructure Improvements in the total amount of \$2,256,700 on August 12, 2015, subsequently amended to a new grand total amount of \$2,573,200 pursuant to Resolution No. 161-2015 adopted on October 14, 2015 and Resolution No. 176-2015 adopted on November 12, 2015; and,

WHEREAS, the County of Monmouth was expected to perform the work necessary to complete Alternate Items A-1, A-2 and A-3 during the Project and recently advised that their staff does not have the time to complete this Alternate and directed the Borough of Sea Girt to include the scope of work and costs for Alternate Items A-1, A-2 and A-3 into the Project costs for future reimbursement; and,

WHEREAS, the correction of the lump sum cost of Item #32 from \$1,000 to \$10,000, previously approved by the Borough Council pursuant to Resolution No. 161-2015, is hereby included, and these items represent the Total Change Order and Contract Modification No. 2; and,

WHEREAS, the Borough Engineer has reviewed the said Contract Modification Proposal No. 2 and recommends the approval of the same.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that Contract Modification Proposal No. 2 in the total amount of \$316,500 for the Project S340468-01, also known as Baltimore Blvd. and Neptune Place Outfalls Extension and Infrastructure Improvements be and the same is hereby approved.

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

1. Precise Construction, Inc.
2. Peter R. Avakian of the firm Leon S. Avakian, Inc.
3. Chief Financial Officer, Borough of Sea Girt
4. NJEIT Program Reviewer Mary Pearsall
5. Jim Keil, NJDEP

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			

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I. Resolution No. 20-2016: Appropriations Reserves Transfers

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

WHEREAS, the Local Budget Law (N.J.S.A. 40A:4-1, et seq.) permits the transfer of funds between appropriations reserves during the first three months of the succeeding budget year; and,

WHEREAS, the Chief Financial Officer has determined that certain 2015 appropriations reserves of the Borough of Sea Girt require additional funds while other appropriations reserves have an available balance not needed for its original purposes.

WHEREAS, the schedule of proposed transfers is listed below:

Account No.	Appropriation Title	From	To
5-01-20-120-226	Clerk, Contractual		\$5,200.00
5-01-20-130-010	Finance, S/W	\$5,200.00	

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that the following appropriations reserves transfers be and the same are 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			

17. ADMINISTRATOR REPORTS/DISCUSSION

- A. **Pool Application Report**, 2010-15, inclusive, provided by Planning Board Chairman Norman Hall in response to questions raised at the December 2015 Council meeting: Here is a report on pool applications that required a variance from 2010-15. There were a total of 13 over five years; all except one was on a corner lot. None allowed increase of lot coverage; 12 involved fence height or location; some had relief of distance to a structure. Also included is the 2015 Annual Report of Planning Board activity. Mayor Farrell suggested making amendment to pool ordinance to include fence height for corner lots that have pools.
- B. **Impervious Coverage** Limitation –There were no comments offered by Councilpersons present; the Administrator advised that an Ordinance would be prepared for adoption by the first meeting in February.

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

19. COUNCIL REPORTS:

Councilpersons Foley, Buonocore, Fetzer, Mulroy and Rotolo had no reports.

Mayor Farrell reported the following:

- Thanked Council Members, Department Heads, and Employees, Fire Department, Planning Board members and the volunteers for all their help keeping Sea Girt a unique and beautiful place. He noted the following:
 - Past four years we survived Hurricane Sandy and came back better than ever;
 - Continued on our road and infrastructure improvements;
 - Rebuilt our WTP;
 - Financially, we have lowered taxes and raised our financial stability and received a AAA credit rating;
 - It's been a privilege to serve as Mayor
 - Future needs are to finish the road program, address flooding issues, master plan revision, continue working on getting as much as possible from Monmouth County
 - We will be celebrating our 100th Anniversary in 2017!

20. Resolution No. 21-2016: 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 December 31, 2015 in the totals as follows:

CURRENT FUND	\$ 551,854.43
WATER/SEWER OPERATING FUND	\$ 103,428.91
BEACH OPERATING FUND	\$ 21,286.27
TRUST	\$ 896.00
RECREATION TRUST	\$ 422.47
DOG TRUST	\$ 202.00
GENERAL CAPITAL	\$ 687,981.04

Recorded Vote:

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

*Council President Fetzer abstained with respect to the payment for Brandon Fetzer.

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

Kevin Egan, Stockton Blvd., thanked Council for their service and for approving his request. He also asked for consideration to amend pool ordinance as to the height of fences for lots that go from street to street.

Mr. O’Grady, The Terrace, asked what is going on in Wreck Pond. Engineer Peter Avakian responded that Spring Lake had initiated a project to help control flooding along Wreck Pond. Phase I involved obtaining a grant to install a secondary outfall parallel to the existing pipe going to out to the ocean. Phase II will be the removal of 37,000 cubic yards of sand from the pond via an inter-local agreement with the County; that and work should be completed by January 15, 2016. Phase III will involve the creation of a living shoreline on Shore Rd. and the installation of a slightly raised berm to contain water in the pond; this Phase is expected to be completed in the spring.

There being no further business and **UPON MOTION** of Councilperson Rotolo, seconded by Councilperson Foley carried, that the meeting be finally adjourned at 9:00 PM.

Lorraine P. Carafa, RMC
Municipal Clerk