

MINUTES - REGULAR MEETING – FEBRUARY 5, 2014 - 7:30 pm

BOROUGH COUNCIL, BOROUGH OF SEA GIRT

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

The Clerk read the Open Public Meetings announcement: this meeting is called pursuant to the provisions of the Open Public Meeting Act, Chapter 231, P.L. 1975, Section 5: adequate notice of this meeting has been given by posting the Notice on the Borough Hall bulletin board and by transmitting a copy of the Notice to the Borough's two official newspapers, *The Asbury Park Press* and *The Coast Star*, as required by law.

1. COMPLIANCE STATEMENT:

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

The Municipal Clerk called the roll:

| | Present | Absent |
|--------------------------|----------------|---------------|
| Mayor Farrell | X | |
| Councilman Foley | X | |
| Councilman Buonocore | X | |
| Councilwoman Morris | X | |
| Council President Fetzer | X | |
| Councilman Mulroy | X | |
| Councilman Cerami | X | |

Resolution 40-2104: Promoting Police Officer Justin Macko to Sergeant of the Borough of Sea Girt Police Department.

Chief Davenport thanked everyone in attendance for their support. Chief highlighted Officer Macko's career achievements and wished him future success. Officer Macko also thanked everyone for their support.

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

WHEREAS, the Borough of Sea Girt Police Department is in need of a supervising officer at this time, and recently engaged in a promotion process to identify the candidate qualified to perform in this capacity; and,

WHEREAS, Police Officer Justin Macko achieved the highest ranking of the qualified candidates who participated in the promotion process.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that Police Officer Justin Macko be and he is hereby promoted to Sergeant of the Borough of Sea Girt

MINUTES - REGULAR MEETING
FEBRUARY 5, 2014

Resolution 40-2104: Promoting Police Officer Justin Macko (continued)

Police Department, effective immediately, at the annual salary compliant with the PBA Collective Bargaining Unit Agreement.

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

Recorded Vote:

| | AYES | NAYS | ABSENT | ABSTAIN |
|--------------------------|------|------|--------|---------|
| Councilman Foley | X | | | |
| Councilman Buonocore | X | | | |
| Councilwoman Morris | X | | | |
| Council President Fetzer | X | | | |
| Councilman Mulroy | X | | | |
| Councilman Cerami | X | | | |

2. CONSENT AGENDA - No items

(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).

3. APPROVE MINUTES – January 22, 2014 Regular Minutes

- **Resolution 41-2014:** UPON MOTION of Council President Fetzer, seconded by Councilman Mulroy, carried, that the Minutes of the Regular Meeting held January 22, 2014, 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 Cerami | X | | | |

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

5. OLD BUSINESS

- Mayor Farrell explained to the audience the need to adopt Ordinance 01-2014: Calendar year 2014 to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank.

ORDINANCE NO. 01-2014

**CALENDAR YEAR 2014 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**

OLD BUSINESS (continued)

Ordinance No. 01-2014 (continued)

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 0.5% 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, appropriate 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 2013 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 \$175,923.61 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.

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 2014 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 \$175,923.61 and that the CY 2014 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 adoption.

UPON MOTION of Councilperson Buonocore, seconded by Councilperson Foley, carried, that the meeting be opened for the public hearing on this Ordinance. There were no comments from the public present, and **UPON MOTION** of Councilperson Buonocore, seconded by Councilperson Morris, carried, that the public hearing be closed.

MINUTES - REGULAR MEETING
FEBRUARY 5, 2014

OLD BUSINESS (continued)

Ordinance 01-2014 (continued)

UPON MOTION of Councilperson Foley, seconded by Councilperson Buonocore, carried, that the said Ordinance 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 Buonocore | X | | | |
| Councilwoman Morris | X | | | |
| Council President Fetzer | X | | | |
| Councilman Mulroy | X | | | |
| Councilman Cerami | | X | | |

A. Resolution No. 42-2014: Revise Acting Administrator Compensation

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

WHEREAS, the Borough of Sea Girt appointed the Lorraine P. Carafa to the position of Acting Administrator through March 31, 2014 at the compensation of \$10,000, or \$3,333.33 per month.

NOW, THEREFORE, BE IT RESOLVED that the compensation for the position shall be changed to \$2,500 per month.

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

Recorded Vote:

| | AYES | NAYS | ABSENT | ABSTAIN |
|--------------------------|-------------|-------------|---------------|----------------|
| Councilman Foley | X | | | |
| Councilman Buonocore | X | | | |
| Councilwoman Morris | X | | | |
| Council President Fetzer | X | | | |
| Councilman Mulroy | X | | | |
| Councilman Cerami | X | | | |

6. **NEW BUSINESS**

1. **Ordinance No. 02-2014:** They Mayor to read the said Ordinance by Title:

ORDINANCE NO. 02-2014

AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 17-5, GENERAL REGULATIONS – SWIMMING POOLS, OF CHAPTER XVII, ZONING, OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH

OLD BUSINESS (continued)

Ordinance No. 02-2014 (continued)

WHEREAS, the Borough of Sea Girt, County of Monmouth, State of New Jersey (the "Borough") after public hearing and consideration of the recommendations of the Borough's Land Use Review Committee amended its Land Use Code to revise its regulations related to the construction of swimming pools (Ordinance No. 23-2013); and,

WHEREAS, a recent review of the Ordinance revealed an inconsistency in the language of the Ordinance that the Borough Council wishes to correct at this time.

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

SECTION 1. Chapter XVII of the Borough Code of the Borough of Sea Girt, entitled "Zoning" in particular Section 17-5 entitled "General Regulations" is hereby amended and supplemented as follows:

A. The existing Section 17-5.22.B.9 shall be amended and replaced with the following:

1. Swimming pools shall be completely surrounded by protective fencing with a minimum of four (4) feet in height, but no more than six (6) feet in height, which fencing shall include self-closing and self-latching gates. If pool fencing exceeds four (4) feet in height, it shall be set back from the rear lot line at least five (5) feet, and bounded by the side building lines. Such fences shall be suitably landscaped to minimize the visual impact on adjacent residential uses.

SECTION 2. 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 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. 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.

SECTION 5. This Ordinance shall take effect upon publication in an official newspaper of the Borough, as required by and in conformance with law.

SECTION 6. A copy of this Ordinance shall be filed with the Monmouth County Planning Board, pursuant to N.J.S.A. 40:55D-16.

UPON MOTION of Councilperson Buonocore, seconded by Councilperson Morris, 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 March 12, 2014.

OLD BUSINESS (continued)

Ordinance No. 02-2014 (continued)

Recorded Vote:

| | AYES | NAYS | ABSENT | ABSTAIN |
|--------------------------|------|------|--------|---------|
| Councilman Foley | X | | | |
| Councilman Buonocore | X | | | |
| Councilwoman Morris | X | | | |
| Council President Fetzer | X | | | |
| Councilman Mulroy | X | | | |
| Councilman Cerami | X | | | |

3. **Ordinance No. 03-2014:** The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 03-2014

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER IV OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT ENTITLED "LICENSING AND BUSINESS REGULATIONS"

4-1.1 License Required.

Pursuant to the provisions of N.J.S.A. 40:52-1(c), except as provided in subsection 4-1.3 below, no person shall, within the Borough, hawk, peddle or engage in the business of itinerant vendor of merchandise without first having procured a license therefor from the Municipal Clerk. (Ord. No. 902 § 1A)

4-1.2 Application; Photograph Required.

a. Application for license shall be made to the Municipal Clerk on a form containing the name and address of the applicant, the applicant's driver license number, and a statement of the nature of the merchandise to be sold, together with a fee of seventy-five (\$75.00) dollars. The applicant shall furnish an identification photo which may be obtained at the Sea Girt Police Department and will be attached to the license when issued, which will also contain the information contained in the application.

b. The license will be valid for the remainder of the calendar year from its date of issue and shall be carried on the person of the licensee and exhibited to any Sea Girt Police Officer upon request.

c. The number of hawking, peddling and itinerant vendor licenses under this section to be issued and outstanding in any one year is limited to two (2).

(Ord. No. 902 § 1B; New)

4-1.3 Special Licenses.

Holders of valid special licenses issued pursuant to N.J.S.A. 45:24-9 et seq., are not required to obtain a municipal license, but are subject to the regulations set forth in this section. (Ord. No. 902 § 1C)

4-1.4 Hours Permitted; Area Prohibited.

a. Holders of a license to hawk, peddle or sell goods may operate only between the hours of 10:00 a.m. to 8:00 p.m. inclusive.

b. No hawking, peddling or selling of goods is permitted east of First Avenue.

c. No holders of a license to hawk, peddle or sell goods (itinerant vendor) may stand or stop on any street of the Borough of Sea Girt for longer than ten (10) minutes unless actively engaged in the hawking,

NEW BUSINESS (continued)

Ordinance No. 03-2014 (continued)

peddling or selling of goods with customers present, with the exception of the south side of Baltimore Boulevard between Fourth and Fifth Avenues, where a time limit maximum of up to three (3) consecutive hours for stopping or standing to engage in hawking, peddling or selling of goods shall be in effect. (Ord. No. 902 § 1D)

4-1.5 Violations and Penalties.

Any person violating this section will, upon conviction in the Municipal Court, be subject to a fine of no less than one hundred (\$100.00) dollars or more than two thousand (\$2,000.00) dollars or imprisonment for no more than five (5) days. (Ord. No. 902 § 2).

UPON MOTION of Councilperson Buonocore, seconded by Councilperson Foley, 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 March 12, 2014.

Recorded Vote:

| | AYES | NAYS | ABSENT | ABSTAIN |
|--------------------------|------|------|--------|---------|
| Councilman Foley | X | | | |
| Councilman Buonocore | X | | | |
| Councilwoman Morris | X | | | |
| Council President Fetzer | X | | | |
| Councilman Mulroy | X | | | |
| Councilman Cerami | X | | | |

3. Resolution No. 23-2014: Improvements to Sixth Ave Final Change Order No. 1

UPON MOTION of Council President Fetzer, seconded by Councilperson Foley, carried, that the following resolution be adopted:

WHEREAS, the Borough Council authorized and awarded a contract to Fernandes Construction, Inc., South River, NJ, on September 25, 2013 for the Project known as Improvements to Sixth Avenue in the amount of \$333,359.00; and,

WHEREAS, the project is completed and final as-built quantities calculated, resulting in the need for Final Change Order and Supplemental Agreement No. 1, representing an increase of \$17,550.00 and a decrease of \$34,926.78 for a net change to the revised contract total of \$17,376.78, a 5.21% reduction and a new contract total of \$315,982.22.

WHEREAS, the Chief Financial Officer has certified to the Borough Council that there are adequate funds available for the purpose of granting this change order in the Capital account C-04-55-534-501.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that Change Order No. 1 as referenced above totaling a net decrease of \$17,376.78 as an amendment to the contract between Fernandes Construction, Inc., South River, NJ and the Borough of Sea Girt for the Project known as Improvements to Philadelphia Boulevard be and the same is hereby approved.

NEW BUSINESS (continued)

Resolution No. 43-2014 (continued)

Recorded Vote:

| | AYES | NAYS | ABSENT | ABSTAIN |
|--------------------------|------|------|--------|---------|
| Councilman Foley | X | | | |
| Councilman Buonocore | X | | | |
| Councilwoman Morris | X | | | |
| Council President Fetzer | X | | | |
| Councilman Mulroy | X | | | |
| Councilman Cerami | X | | | |

4. Resolution 44-2014: Accept Monument Committee Recommended Revisions

Councilwoman Morris explained the suggested changes recommended by the Monument Committee including that a prospective nominee must be deceased for at least one year to be considered. Nominating period is open all year and no requirements for annual nominations.

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

WHEREAS, at the request of the Borough Council of the Borough of Sea Girt, the Monument Selection Committee recommended revisions to the criteria and regulations for qualifying nominations to the Memorial Monument and the Borough Council wishes to adopt those criteria and regulations at this time for all future nominations to the Memorial Monument.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Girt hereby adopts the following criteria and regulations for all future nominations:

Memorial Monument Nominations

Suggestions for Criteria

The definition of a monument is found in what it accomplishes.

A monument memorializes something or someone; it brings that thing or that person to our remembrance, honors them, and inspires us profoundly.

What is the purpose of the monument?

- Commemorate a community member and/or group that has contributed significantly to Sea Girt.
- To recognize community members for extraordinary accomplishments,
- Areas of service should be well known to the community – education, charitable, business, government, community relations and heroic acts

Selection Criteria

Individuals will be considered and the selection based on the following criteria:

- The nominee must have resided in Sea Girt; must be deceased for more than one year

New Business (continued)

Resolution 44-2014 (continued)

- The nominee must have made a significant contribution to improving the quality of life for the Sea Girt neighborhood.
- The neighborhood's improvement must be made as a result of the nominee's personal commitment and not substantially as result of the nominee's employment or public responsibilities.
- Nomination(s) should be made by submitting in writing a statement (see below) of the reasons why the individual being nominated is worthy of this special honor.
- Consideration will not be limited to the nominee's significant achievements or contributions during the year immediately preceding the year of the award, but can be cumulative over a period of years in the community.

Nomination Procedures - Nominations are based on the following criteria:

- The individual may be nominated by anyone. There are no restrictions on who can nominate the individual.
- Nomination forms will be made available in the Borough Hall and on our webpage, for anyone interested in nominating a candidate.
- The nomination must include a statement by the nominator, either on the form or attached to it, specifically explaining why the nominated individual is worthy of receiving the award.
- The nomination must also include adequate supporting documents to substantiate the efforts and conditions under which they occurred. These may include official reports, stories, news articles, and information on any other awards or recognition for the incident.
- All nominations should be typewritten.
- Nominations must be completed, signed by the nominator, and returned by mail or in person to the Administrator's office by the deadline set. The Nomination Form should be mailed, or delivered in a sealed envelope.
- Additional nominations can be submitted by members of the Selection Committee during the deliberation process.
- There is no requirement for annual additions to the Memorial Monument.

Recorded Vote:

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

7. ACTING ADMINISTRATOR REPORTS/DISCUSSION MATTERS:

1. "Naming Rights" Program Update: Applications were sent to all previous program participants and those on the waiting list (110 in total, 83 with plaques, 27 on the wait list) with a response required by February 1. As of Monday, 51 paid responses were received, 49 from plaque holders and 2 from the waiting list; 14 other individuals responded but have not paid.

Acting Administrator Reports (continued)

- The DPW staff have ordered the necessary supplies to fabricate the benches; several families that previously participated have asked that the plaque be returned to them as they are no longer in the area;
 - Target date for completion is July 4th, 2014;
 - Any unclaimed plaques will be held at this time; at the end of this season, a decision will be made as to whether or not a “memorial wall” of plaques will be created at the Pavilion.
2. **Beach Replenishment** – This weekend, contractor has returned to Sea Girt after completing Manasquan; anticipated completion in Sea Girt is three to four weeks. We have supplied additional information regarding the Borough’s issues with the Neptune and Baltimore outfalls; we continue to press this matter with them.
3. **Dune Walkover structures** – the plans have been developed and will be finalized within the next two weeks; the Borough plans to go out to bid by early March with a project completion date not later than April 30.
4. **Library** – several residents have responded in support of the suggestion to consider withdrawal from the County Library System but are requesting additional information be supplied to them first.

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

9. **COUNCIL REPORTS**

Councilpersons Foley, Buonocore and Cerami had no reports.

Councilperson Morris reported as follows:

- It was suggested to reduce speed limit east of First Ave from Beacon to New York. Mrs. Carafa will speak with our Engineer to see if a traffic study is necessary.
- Public Safety Committee will meet to discuss issues related to the Parker House. Fines will be reviewed.

Councilman Mulroy reported the following:

- Beach Committee is meeting next week. Topic of allowing smoking on the beach will be addressed.

Council President Fetzer reported the following:

- Labor negotiations have been rescheduled and more information will be forthcoming after meeting with the bargaining unit negotiating committee;
- WTP – received a report from HMM with respect to claims by Patock;
- On January 25 there was a backwash issue at the plant; no risk to the public. The problem was a valve needed to be fixed and/or changed. In the future, backwash will only be done when someone is present to avoid issues.

Mayor Farrell reported the following:

- Thanked Jared McKittrick and the DPW staff for their hard work and efforts this winter season.

MINUTES - REGULAR MEETING
FEBRUARY 5, 2014

10. **Resolution 45-2014:** Payment of Bills

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

BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt that bills be paid as appearing on the attached Bill List dated January 31, 2014 in the totals as follows:

| | |
|----------------------------|-----------------|
| CURRENT FUND | \$ 1,988,449.93 |
| WATER/SEWER OPERATING FUND | \$ 5,355.10 |
| BEACH OPERATING FUND | \$ 584.01 |
| TRUST FUND | \$ 4,957.50 |
| RECREATION TRUST | \$ 504.59 |
| UNEMPLOYMENT TRUST | \$ 8,960.58 |
| GENERAL CAPITAL | \$ 192,331.70 |

Recorded Vote:

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

11. **PUBLIC PARTICIPATION ON ANY SUBJECT**

- Sharon Kregg stated that she received the variance to build her porch and she thanked everyone for their forbearance. Ms. Kregg showed picture of snowmen in town and in Wall Twp. This is what Sea Girt is all about.
- Ira Walker asked for an explanation of the changes to the pool fence ordinance. Mayor Farrell and Norm Hall, Planning Board Chairman, explained the revision to the Ordinance.
- Pat Raffetto asked if an ice cream vendor can still work in Sea Girt and the answer is yes.
- John O'Grady asked if a permit is required for tree removal; he was advised that no permit is required. He suggested that residents be notified that if a tree is planted, the owner is required to water the tree. He also suggested that when a new home is constructed, all trees on the premises be inspected for damage because of losing too many trees and noted that trees should be inspected by an arborist before a sale. He also suggested installing signs on sand dunes prohibiting people from walking on dunes.

There being no further comments, the public hearing was closed. **UPON MOTION** of Councilperson Buonocore, seconded by Council President Fetzer, carried, that the following **Resolution No. 46-2014** be and the same is hereby adopted:

MINUTES - REGULAR MEETING
FEBRUARY 5, 2014

Resolution 46-2014 (continued)

WHEREAS, Section 8 of the Open Public Meeting Act, N.J.S.A. 10:4-12 permits the exclusion of the public from a meeting in certain circumstances; and,

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

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

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

RECORDED VOTE:

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

The Clerk reported that during the Executive Session, the Council discussed the separation agreement executed by Colonel Bunting.

- **Resolution No. 47-2014:** UPON MOTION of Councilperson Buonocore, seconded by Councilperson Foley, carried, that the separation agreement as originally prepared and agreed to by the parties be and the same is hereby approved.

RECORDED VOTE:

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

By consensus, the Council agreed to advertise the position of Business Administrator at such time as the position is vacant.

MINUTES - REGULAR MEETING
FEBRUARY 5, 2014

There being no further business, and **UPON MOTION** of Council President Fetzer, seconded by Councilperson Morris, carried, that the meeting be finally adjourned at 9:10 PM.

Lorraine P. Carafa, RMC
Municipal Clerk