

REGULAR MEETING – NOVEMBER 12, 2014 - 7:30 pm

BOROUGH COUNCIL, BOROUGH OF SEA GIRT

AGENDA

1. CALL TO ORDER

2. MOMENT OF SILENCE

3. SALUTE TO THE FLAG

4. COMPLIANCE STATEMENT:

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

5. ROLL CALL:

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

6. PUBLIC PARTICIPATION ON ANY AGENDA ITEM (Comments limited to 7 minutes)

7. 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):

- None

8. APPROVE MINUTES

- **Resolution __-2014:** October 22, 2014 Regular Meeting

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

10. OLD BUSINESS –

- A. Resolution _-2014:** Reconsideration of request for refund of PB filing fee for minor subdivision (Block 70, Lot 16) by Applicant 500 Brooklyn Blvd., LLC (\$500 requested; lesser amount could be approved).

11. NEW BUSINESS

A. Ordinances - introduction

- a. **Ordinance No. 20-2014:** The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 20-2014
AN ORDINANCE TO AMEND CHAPTER IX,
BEACHES AND BOARDWALKS,
SECTION 9-1.4, WEDDING CEREMONIES ON THE BEACH
OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT

- Motion to adopt the said Ordinance on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as December 10, 2014.

- b. **Ordinance No. 21-2014:** The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 21-2014
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XV,
LAND USE PROCEDURES, ARTICLE 15-3.4, FEES, OF
THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT

- Motion to adopt the said Ordinance on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as December 10, 2014.

- c. **Ordinance No. 22-2014:** The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 22-2014
AN ORDINANCE PROVIDING FOR
THE ACQUISITION OF EQUIPMENT FOR THE BEACH UTILITY
OF THE BOROUGH AND PROVIDING FOR THE COST
THEREOF FROM INSURANCE PROCEEDS ON HAND IN THE
BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH, NEW JERSEY

- Motion to adopt the said Ordinance on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as December 10, 2014.

- d. **Ordinance No. 23-2014:** The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 23-2014
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER IV,
LICENSING AND BUSINESS REGULATIONS, ARTICLE 4-1.4(a), HOURS PERMITTED; AREA
PROHIBITED AND ARTICLE 4-2.6, HOURS OF SOLICITING AND CANVASSING,
OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT

- Motion to adopt the said Ordinance on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as December 10, 2014.

B. Resolution __-2014: Authorize Interlocal Services Agreement with the Borough of Brielle permitting shared use of equipment as needed with their various Departments pursuant to *N.J.S.A. 40:8A-1, et seq.*

C. Resolution __-2014: Authorize Addendum to Interlocal Services Agreement between the Boroughs of Brielle, Manasquan and Sea Girt regarding the Joint Use of a Combination Sewer Set and Catch Basin Cleaner pursuant to *N.J.S.A. 40:8A-1, et seq.*

D. Resolution _-2014: Beach Concession Operation, 2015 (with two option years): One bid was received on October 10, 2014; submission of required bid documents was complete; documents were reviewed for compliance with Bid Specifications and approved by both the QPA and Borough Attorney. Accept bid of S.D. Winters, LLC dba The Bagel Basket to operate the Pavilion Concession at the Sea Girt Beach for the 2015 season at \$78,951 for the season; authorize Mayor and Clerk to execute the required Lease Agreement.

E. Resolution __-2014: Authorize signatories, Borough accounts (F. Ken Farrell, Lorraine P. Carafa, Karen Brisben, Joseph V. Zanna)

F. Resolution __--2014: C.159, Body Armor grant of \$1,427.86 (insert item of revenue and expense into the 2014 Municipal Budget)

G. Resolution _--2014: Improvements to Stockton Blvd., Change Order #1, Fernandes Construction, Inc., net increase of \$18,497 (7.53%) to a new contract total of \$264,826

H. Resolution __-2014: approve Appropriations Transfers

I. Resolution _--2014: Authorizing the undertaking of a continuing disclosure review and authorizing participation if the Municipalities Continuing Disclosure Cooperation Initiative of the Division of Enforcement of the US Securities and Exchange Commission (Third party disclosure dissemination agent: N&W Financial, \$750 cost for initial filing, \$750 annually thereafter).

J. Monmouth County Multi-Jurisdictional Hazard Mitigation Plan Update: Monmouth County and its 53 municipalities have been working on the update of the Monmouth County Multi-Jurisdictional Natural Hazard Mitigation Plan since August of 2012. The draft of the updated plan is now available, with a comment period open through November 18, 2014. Please review the plan and provide your comments; on behalf of the Borough, I am recommending the inclusion of additional identified risks: flooding on Sea Girt Avenue at Route 71 and First Avenue drainage issues/flooding. Additional Council comments, if any.

12. ADMINISTRATOR REPORTS/DISCUSSION MATTERS

- **Elevated Water Storage Tank Rehabilitation** – The project has been a bit delayed through this week, but it is anticipated to be back on track within the week. The emptying of the tank will be completed by early next week with interior repairs to follow. Exterior sandblasting will begin when the interior repairs are completed. We apologize for any inconvenience that this may cause to residents – thank you for your patience.
- **Baltimore Blvd. and Neptune Place Outfall and other Drainage issues** –Funding for the extension of the outfalls and infrastructure improvements to address drainage issues along First Avenue has been approved through the NJEIT Sail Program. All the required

information has been submitted to date, and we are on track for an expedited review of the plans and specifications as soon as they are completed. We have also advised our NJEIT contacts that the Borough will pursue an expedited timeline to complete the project as soon as possible.

- **Traffic Study – Beach Area:** meeting to discuss the draft report and its recommendations was held on Wednesday, October 15; final report with recommendations will be made available to Council members as soon as it is received;
- **Surplus Equipment Disposition:**
 - On-line sale was concluded on October 28; proceeds are in excess \$9,900.00.
- **FEMA – Summary of Superstorm Sandy Claims/Reimbursements to date**

PROJECT #	TOTAL EXPENSES SUBMITTED	TOTAL EXPENSES PENDING	REIMBURSED TO DATE
565	\$294,251.48	\$107,740.29	
2409	\$91,144.90	-0-	
2688	\$1,668,599.70	\$30,913.76	
3753	\$96,524.60	\$76,720.63	
4172	\$544,153.55	\$125,910.23	
Total	\$2,694,674.23	\$341,284.91	\$2,083,921.90

Use of proceeds:	
Paydown of BAN/Emergency Note/Interest	\$1,546,806.00
Appropriated to 2012/2013 expenses not covered by BAN/Emergency Note	158,609.53
Appropriated in 2013 budget per State (to fund Emergency Authorization)	140,000.00
Appropriated in 2014 budget per State (to fund Emergency Authorization)	219,610.00
Balance of FEMA funds received 2014	<u>18,895.47</u>
Total	<u>\$2,083,921.90</u>
Remaining Sandy debt:	
Outstanding BAN to be liquidated in 2015 (principal/interest)	\$ 125,869.50
Outstanding Emergency Note to be liquidated on November 28,2014	297,818.00

- **New Item – Rules relating to Dogs on the Beach** – some residents have suggested that the requirement that dogs be leashed when on the Borough beach be rescinded – the Borough’s Piping Plover Agreement with the DEP mandates no dogs or other pets on the beach between March 15 and August 31 (earlier if no endangered species activity is noted); no other restrictions are noted in the Agreement.

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

14. **COUNCIL REPORTS**

15. **Resolution __-2014:** Payment of bills

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

17. **Resolution __-2014: Executive Session** – to discuss pending litigation (Patock Construction), (Please note that action may be taken by Council upon return to public session. The public is invited to remain outside and may return to the meeting room when the Council returns to public session).

18. **ADJOURN**