

REGULAR MEETING – MARCH 26, 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 - Resolution __-2014: Special Events**

(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):

1. Mother/Son Event, SG Elementary School PTO, Beach/Parking Lot, June 1, 2014 4:30 to 8:00 PM
2. Sgt. Nutter Run, Sgt. Samuel Nutter Organization, May 10, 2014, 8:30 AM to 12:30 PM (set-up May 9, 2014)
3. Allow beach staff to ride bicycles on the Boardwalk during work hours.

8. **APPROVE MINUTES**

- **Resolution __-2014:** March 12, 2014 Regular Meeting

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

10. **OLD BUSINESS**

- A. **Ordinances –possible adoption**

1. **Ordinance No. 02-2014:** The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in The Coast Star on February 13, 2014 and submitted to the Borough of Sea Girt Planning Board and Monmouth County Planning Board as required. Planning Board has responded with a recommendation that the Ordinance be adopted as presented and that the Affidavit of Publication is on file in the Clerk's Office:.

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

- i. Possible motion to adopt the said Ordinance on final reading, directing the Clerk to post and publish as required by law.

2. **Ordinance No. 04-2014:** The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in *The Asbury Park Press* on March 14, 2014 and that the Affidavit of Publication is on file in the Clerk's Office:

ORDINANCE NO. 04-2014

AN ORDINANCE CANCELING THE BALANCE OF VARIOUS GENERAL IMPROVEMENT AUTHORIZATIONS FINALLY ADOPTED BY THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, NEW JERSEY

- i. Motion to open the meeting to the public for comments on the said Ordinance only- __ moves, seconded by__ (consensus vote);
- ii. Comments, if any;
- iii. Motion to close the public hearing - __ moves, seconded by__ (consensus vote);
- iv. Possible motion to adopt the said Ordinance on final reading, directing the Clerk to post and publish as required by law.

3. **Ordinance No. 05-2014:** The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in *The Asbury Park Press* on March 14, 2014 and that the Affidavit of Publication is on file in the Clerk's Office:

ORDINANCE NO. 05-2014

AN ORDINANCE PROVIDING FOR VARIOUS WATER-SEWER UTILITY IMPROVEMENTS IN THE BOROUGH OF SEA GIRT AND PROVIDING FOR THE COST THEREOF FROM FUND BALANCE, OF THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH, NEW JERSEY WATER-SEWER UTILITY OPERATING FUND

- i. Motion to open the meeting to the public for comments on the said Ordinance only- __ moves, seconded by__ (consensus vote);
- ii. Comments, if any;
- iii. Motion to close the public hearing - __ moves, seconded by__ (consensus vote);
- iv. Possible motion to adopt the said Ordinance on final reading, directing the Clerk to post and publish as required by law.

4. **Ordinance No. 06-2014:** The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in *The Asbury Park Press* on March 14, 2014 and that the Affidavit of Publication is on file in the Clerk's Office:

BOND ORDINANCE NO. 06-2014

ORDINANCE REAPPROPRIATING \$190,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE ACQUISITION OF EQUIPMENT FOR VARIOUS BOROUGH DEPARTMENTS AND OTHER RELATED EXPENSES, IN AND BY THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, NEW JERSEY.

- i. Motion to open the meeting to the public for comments on the said Ordinance only- __ moves, seconded by__ (consensus vote);
 - ii. Comments, if any;
 - iii. Motion to close the public hearing - __ moves, seconded by__ (consensus vote);
 - iv. Possible motion to adopt the said Ordinance on final reading, directing the Clerk to post and publish as required by law.
5. **Ordinance No. 07-2014:** The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in *The Asbury Park Press* on March 14, 2014 and that the Affidavit of Publication is on file in the Clerk's Office:

BOND ORDINANCE NO. 07-2014

BOND ORDINANCE PROVIDING FOR ROAD IMPROVEMENTS TO BALTIMORE BOULEVARD, AND APPROPRIATING \$650,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$617,500 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, NEW JERSEY

- i. Motion to open the meeting to the public for comments on the said Ordinance only- __ moves, seconded by__ (consensus vote);
 - ii. Comments, if any;
 - iii. Motion to close the public hearing - __ moves, seconded by__ (consensus vote)
 - iv. Possible motion to adopt the said Ordinance on final reading, directing the Clerk to post and publish as required by law.
6. **Ordinance No. 08-2014:** The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in *The Asbury Park Press* on March 14, 2014 and that the Affidavit of Publication is on file in the Clerk's Office:

ORDINANCE NO. 08-2014

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

- i. Motion to open the meeting to the public for comments on the said Ordinance only-
__moves, seconded by__ (consensus vote);
- ii. Comments, if any;
- iii. Motion to close the public hearing - __moves, seconded by__ (consensus vote)
- iv. Possible motion to adopt the said Ordinance on final reading, directing the Clerk to post
and publish as required by law.

7. **Ordinance No. 09-2014:** The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in *The Asbury Park Press* on March 14, 2014 and that the Affidavit of Publication is on file in the Clerk's Office:

ORDINANCE NO. 09-2014

AN ORDINANCE TO AMEND VARIOUS FEES AND PENALTIES OF THE
BOROUGH CODE OF THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH,
NEW JERSEY

- i. Motion to open the meeting to the public for comments on the said Ordinance only-
__moves, seconded by__ (consensus vote);
- ii. Comments, if any;
- iii. Motion to close the public hearing - __moves, seconded by__ (consensus vote)
- iv. Possible motion to adopt the said Ordinance on final reading, directing the Clerk to post
and publish as required by law.

8. **Ordinance No. 09-2014:** The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in *The Asbury Park Press* on March 14, 2014 and that the Affidavit of Publication is on file in the Clerk's Office:

ORDINANCE NO. 10-2014

AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 9.2 OF CHAPTER IX
OF THE BOROUGH CODE ENTITLED "BEACHES AND BOARDWALK" AND
SECTION 3-13 ENTITLED "LITTER"

- i. Motion to open the meeting to the public for comments on the said Ordinance only-
__moves, seconded by__ (consensus vote);
- ii. Comments, if any;
- iii. Motion to close the public hearing - __moves, seconded by__ (consensus vote)
- iv. Possible motion to adopt the said Ordinance on final reading, directing the Clerk to post
and publish as required by law.

11. NEW BUSINESS

1. **Ordinance No. 11-2014** – The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 11-2014

AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 10.3 OF CHAPTER X
OF THE BOROUGH OF SEA GIRT CODE ENTITLED "PARKS AND RECREATION"
OF THE BOROUGH OF SEA GIRT, MONMOUTH COUNTY

- 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 April 9, 2014.

2. **Resolution __-2014:** Extend Acting Administrator appointment/compensation until further notice
3. **Resolution __-2014:** Resolution Accepting and Adopting the Monmouth County Municipal Joint Insurance Fund's 2014 Safety And Compliance Program
4. **Resolution __-2014:** Set 2014 beach season and fees
5. **Resolution __-2014:** Dune Walkovers – discuss/approve plans as presented
6. **Resolution __-2014:** Approve 2014 Recreation Programs/fees for 2014
7. **Resolution __-2014:** Appoint Recreation Program Dance Instructor
8. **Resolution __-2014:** Approve lapse of Snow Removal 2013 Appropriation Reserve to Trust Fund

12. ACTING ADMINISTRATOR REPORTS/DISCUSSION MATTERS

1. **Coffee with the Mayor,** Saturday, March 29, 2014 at 10:00 AM, Fire Hall
2. **Manasquan First Aid Squad** is looking for volunteers – please consider helping them help us. Training is at no charge; additional information is available at www.manasquanems.org.
3. **Easter Egg Hunt** sponsored by Sea Girt Recreation, April 12, 2014, 10:30 AM; (raindate April 13 at 1:00 PM)
4. **Wreck Pond** – Spring Lake has received partial funding from NJ Fish and Wildlife and the DEP to construct a box culvert with operational gates at the Ocean to allow for an open flow between the Pond and the Ocean and to create living shorelines (habitats) along the shore. The project requires additional funding and SL has proposed that the four communities adjoining the Pond submit applications for Monmouth County Open Space Grants (maximum of \$250,000 awarded, requires 50% matching funds from the municipality) and SL will fund the match requirement for all four communities. Cost to the Borough would be in the preparation and submission of the required application, including engineering fees. SL is only seeking a commitment of SG to apply for the grant.
5. **HMGP** – The Borough has tentatively been awarded \$100,000 to build a bulkhead in front of the Pavilion as part of the Hazard Mitigation Grant Program sponsored by FEMA. This would require 10% matching funds and the approval of Council to proceed with engineering design. The funding cannot be utilized for any other purpose. Consensus – proceed or decline funding.

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)

1. Ira Walker to present information re: on-going zoning matter to Council

17. **Resolution __-2014: Executive Session** – to discuss 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**

**BOROUGH OF SEA GIRT
RESOLUTION NO. __-2014**

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

WHEREAS, the Borough of Sea Girt Borough Council supports the goal of the Sgt. Samuel Nutter Organization to provide aid and assistance to military families.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that the Sgt. Samuel Nutter Organization request to hold the annual Sgt. Nutter Run within the Borough of Sea Girt and at the National Guard Training Center on May 10, 2014 from 8:30 AM to Noon with set-up scheduled for the evening of May 9, 2014.

BE IT FURTHER RESOLVED that set-up and clean-up of the area is the responsibility of the event sponsors.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to Chief Kevin Davenport and DPW Supervisor J. McKittrick for their information.

Recorded Vote:

	Aye	Nay	Absent	Abstain
Councilman Foley				
Councilman Buonocore				
Councilwoman Morris				
Council President Fetzer				
Councilman Mulroy				
Councilman Cerami				

CERTIFICATION

I, LORRAINE P. CARAFA, Clerk of the Borough of Sea Girt,
do hereby certify the above to be a true and exact copy of
the Resolution adopted by the Borough Council of the
Borough of Sea Girt at their Regular Meeting
held the 26th day of March, 2014.

LORRAINE P. CARAFA, R.M.C.
Municipal Clerk

**BOROUGH OF SEA GIRT
SPECIAL EVENT APPLICATION**

CONTACT INFORMATION

NAME OF APPLICANT/ORGANIZATION/SPONSOR: JONATHAN SALAMON
SERGEANT SAMUEL NUTTER ORGANIZATION

ADDRESS: US ARMY NATIONAL GUARD
1000 CAMP DRIVE
SEA GIRT, NJ 08750
PO Box 277

CONTACT PERSONS (Please list two): JONATHAN SALAMON (908) 642-7026
JONATHAN WARREN (443) 968-6724

PHONE: (732) 974-5904 CELL PHONE: (908) 642-7026

EMAIL ADDRESS: sgt sa - sgt.nutterrun@gmail.com

WEBSITE ADDRESS: www.nutterrun.org

FAX: (732) 974-5975

EVENT INFORMATION

DESCRIPTION OF EVENT: 5k Race to benefit Military Veterans and their families.

NAME OF EVENT: 10th Annual 5k Nutter Run

EVENT LOCATION: National Guard Training Center
Sea Girt, NJ

SET-UP DATE: 09 MAY 2014 SET-UP TIME: 20:00

EVENT DATE: 10 MAY 2014 EVENT TIME: 08:30

BREAKDOWN DATE: 10 MAY 2014 BREAKDOWN TIME: 12:00

ANTICIPATED NUMBER OF ATTENDEES: 500

IS THIS EVENT OPEN TO THE PUBLIC? YES NO

IF YES, IS THERE A FEE? HOW MUCH? Donation / Race Fee \$15.00 - \$30.00 min.

DESCRIBE ALL BOROUGH RESOURCES AND/OR SERVICES THAT WILL BE REQUIRED IN CONNECTION WITH THIS EVENT: Police Escort / Road Guards

TEMPORARY STREET CLOSING? YES NO

IF YES THE FOLLOWING MUST BE PROVIDED:

Acknowledgement by property owners that no motor vehicle traffic will be permitted during the special events, except for vehicles used in connection with the block party, with the exception of municipal vehicles, and emergency vehicles.

PLEASE CIRCLE ALL SERVICES THAT WILL BE REQUIRED:

POLICE DPW OTHER:

SECURITY DETAILS: Roads traveled: Camp Drive, Washington Blvd., Crescent Drive, 1st Avenue, Sea Girt Avenue.

TRAFFIC CONTROL PLAN: Check Points (Police) at Camp and Washington, 2nd and Washington, Crescent and 1st (2 points); 3-4 check point total; see Below:

**** You must provide a detailed footprint of the event including a layout of same.

The Borough of Sea Girt must be named as an additional insured in the amount of \$1,000,000.00

INSURANCE COMPANY: Contact 254 Regiment Head quarters

INSURANCE POLICY NUMBER: (732) 974-5904

www.usatf.org/routes/view.asp?r ID = 535371

EVENT HISTORY

PREVIOUS EVENT LOCATION: National Guard Training Center

CONTACT: J. SALAMON PHONE: 9086427026 EMAIL: sgtnutterrun@gmail.com

VIOLATIONS:

A violation of this article shall be considered a misdemeanor and may be punished as such with penalties and fines consistent with Borough Ordinances. In addition to the penalties and fines established by ordinance, the violating party may be assessed police and/or public works costs incurred by the Borough as a result of said violation.

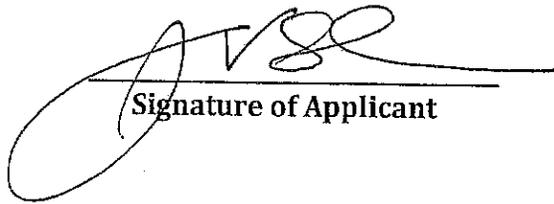
The holding or conducting of any block party subject to the provisions of this article without a valid permit issued pursuant to the provisions of this article is hereby declared a public nuisance.

Please be advised that the borough of sea girt reserves the right to cancel any special event due to circumstances beyond its control, including but not limited to emergencies, natural disasters, and storms.

You will be notified in writing of the decision of the Borough Council and of any additional fees required (i.e. escrow) regarding this event.

BY SIGNING BELOW YOU ARE AGREEING TO ABIDE BY ALL THE CONDITIONS OF THE PERMIT, THE ORDINANCES OF THE BOROUGH, EXCEPT AS EXPRESSLY WAIVED BY RESOLUTION, AND THE APPLICABLE RULES AND REGULATIONS OF THE POLICE DEPARTMENT.

Date: 20140306


Signature of Applicant

BOROUGH USE ONLY			
DATE RECEIVED:	<u>3/6/2014</u>	FEE PAID:	<u>40 -</u>
DATE APPROVED:	<u>3/14/2014</u>	ESCROW PAID:	<u>---</u>
ACKNOWLEDGEMENT BY PROPERTY OWNERS:			

DESCRIPTION/PLANS:

Dawn Harriman

From: Dawn Harriman <dharriman@seagirtboro.com>
Sent: Friday, March 14, 2014 2:35 PM
To: 'sgtnutterun@gmail.org'
Cc: kdavenport@seagirtpd.net
Subject: 10th Annual 5k Nutter Run
Attachments: MX-M363N_20140314_135535.pdf

Please note this event has been approved. Thank you.

**BOROUGH OF SEA GIRT
RESOLUTION NO. __-2014**

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

WHEREAS, the Borough of Sea Girt Borough Council supports the efforts of the Sea Girt Elementary School Parent-Teacher Organization to foster relationships between parents and their children.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that the Sea Girt Elementary School Parent-Teacher Organization request to hold a Mother-Son Day of Fun at the Sea Girt Beach Pavilion/Parking Lot on Sunday, June 1, 2014 from 4:30 PM to 8:00 PM, inclusive.

BE IT FURTHER RESOLVED that set-up and clean-up of the area is the responsibility of the event sponsors.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to Beach Manager Freda and DPW Supervisor J. McKittrick for their information.

Recorded Vote:

	Aye	Nay	Absent	Abstain
Councilman Foley				
Councilman Buonocore				
Councilwoman Morris				
Council President Fetzer				
Councilman Mulroy				
Councilman Cerami				

CERTIFICATION

I, LORRAINE P. CARAFA, Clerk of the Borough of Sea Girt,
do hereby certify the above to be a true and exact copy of
the Resolution adopted by the Borough Council of the
Borough of Sea Girt at their Regular Meeting
held the 26th day of March, 2014.

LORRAINE P. CARAFA, R.M.C.
Municipal Clerk



BOROUGH SEA GIRT
321 BALTIMORE BOULEVARD
P.O. BOX 296
SEA GIRT, NJ 08750
Phone: 732-449-9433 ext. 111
Fax: 732-974-8296

SPECIAL EVENT APPLICATION

APPLICATION FEES: \$40.00

ESCROW (if applicable): The organizer shall provide an escrow, as determined by the Special Events Committee based upon the reasonably anticipated Borough costs for public works, police services and first aid services, arising from the special event, no less than 10 days prior to the special event. Costs incurred as a result of the special event will be drawn from the escrow. If money remains it shall be refunded to the organizer, and any deficiency will be paid by the organizer no later than 5 days after notice of said deficiency.

A check or money order payable to the Borough of Sea Girt must be submitted with the application. Failure to submit a fee with the application will result in the application being returned.

This application shall be filed not less than **forty-five (45) days** before the date of the proposed special event. The forty-five (45) day time period may be waived by the council if an event arises on short notice, so long as it is submitted no later than four (4) business days before the next council meeting.

EXEMPTIONS: THE FOLLOWING EVENTS AND ENTITIES ARE EXEMPT FROM THE REQUIREMENTS OF THIS ORDINANCE:

1. No Special Event Permit shall be required for impromptu public outpourings which do not require the closing of a roadway;
2. Non-profit, civic and community entities holding sporting or other recreational activities or events on property owned or leased by the Sea Girt Elementary School;
3. Borough Recreation Department;
4. Sea Girt Beach Utility and Beach Patrol;
5. The Fire Department and Fire Company;
6. Events arranged by the Borough.

PLEASE COMPLETE THE ENTIRE APPLICATION AS REQUIRED BY BOROUGH ORDINANCE 14-2011.

THANK YOU.

BOROUGH OF SEA GIRT
SPECIAL EVENT APPLICATION

CONTACT INFORMATION

NAME OF APPLICANT/ORGANIZATION/SPONSOR:

Sea Girt Elementary / PTO / Melissa Marshall

ADDRESS:

Bell Place

CONTACT PERSONS (Please list two):

Melissa Marshall
Eva Fatenko

PHONE:

732-449-5464

CELL PHONE:

908-581-5677

EMAIL ADDRESS:

Melissa.Marshall@optonline.net

WEBSITE ADDRESS:

FAX:

EVENT INFORMATION

DESCRIPTION OF EVENT:

Mother/son Event for all mother/sons of S.G. Elementary. Barbecue and games on beach - (volleyball, wiffle ball, etc.)

NAME OF EVENT:

The Beach Boys

EVENT LOCATION:

Beacons Pavilion -

SET-UP DATE: June 1st SET-UP TIME: 4:30
EVENT DATE: June 1st EVENT TIME: 5:00
BREAKDOWN DATE: June 1st BREAKDOWN TIME: 8:00
ANTICIPATED NUMBER OF ATTENDEES: 80?
IS THIS EVENT OPEN TO THE PUBLIC? YES NO
IF YES, IS THERE A FEE? HOW MUCH?

DESCRIBE ALL BOROUGH RESOURCES AND/OR SERVICES THAT WILL BE REQUIRED IN CONNECTION WITH THIS EVENT:

TEMPORARY STREET CLOSING? YES NO
IF YES THE FOLLOWING MUST BE PROVIDED:

Acknowledgement by property owners that no motor vehicle traffic will be permitted during the Special events, except for vehicles used in connection with the block party, with the exception of municipal vehicles, and emergency vehicles.

PLEASE CIRCLE ALL SERVICES THAT WILL BE REQUIRED:
POLICE DPW OTHER: _____

SECURITY DETAILS:

TRAFFIC CONTROL PLAN:

**** You must provide a detailed footprint of the event including a layout of same.

The Borough of Sea Girt must be named as an additional insured in the amount of \$1,000,000.00

INSURANCE COMPANY:

INSURANCE POLICY NUMBER:

EVENT HISTORY

PREVIOUS EVENT LOCATION:

CONTACT:

PHONE:

EMAIL:

VIOLATIONS:

A violation of this article shall be considered a misdemeanor and may be punished as such with penalties and fines consistent with Borough Ordinances. In addition to the penalties and fines established by ordinance, the violating party may be assessed police and/or public works costs incurred by the Borough as a result of said violation.

The holding or conducting of any block party subject to the provisions of this article without a valid permit issued pursuant to the provisions of this article is hereby declared a public nuisance.

Please be advised that the borough of sea girt reserves the right to cancel any special event due to circumstances beyond its control, including but not limited to emergencies, natural disasters, and storms.

You will be notified in writing of the decision of the Borough Council and of any additional fees required (i.e. escrow) regarding this event.

BY SIGNING BELOW YOU ARE AGREEING TO ABIDE BY ALL THE CONDITIONS OF THE PERMIT, THE ORDINANCES OF THE BOROUGH, EXCEPT AS EXPRESSLY WAIVED BY RESOLUTION, AND THE APPLICABLE RULES AND REGULATIONS OF THE POLICE DEPARTMENT.

Date:

3/2/14

Melissa Marshall
Signature of Applicant

BOROUGH USE ONLY

DATE RECEIVED:

3/7/2014

FEE PAID:

40-

DESCRIPTION/PLANS:

DATE APPROVED:

ESCROW PAID:

ACKNOWLEDGEMENT BY PROPERTY OWNERS:

Melissa Marshall 4

**RESOLUTION __-2014
BOROUGH OF SEA GIRT**

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

WHEREAS, the Borough of Sea Girt adopted Chapter IX entitled "Beaches, Boardwalk and Dune" of the Borough Code setting forth rules and regulations applicable thereto that may be amended from time to time by Resolution of the Borough Council; and,

WHEREAS, Chapter IX, Section 1.2 (m) of the Borough Code, as amended, permits bicycles on the Boardwalk between May 15 and September 15 between the hours of 5:00 AM and 9:00 AM only; and,

WHEREAS, the Borough Council has determined that it is in the best interests of the health and welfare of the patrons of the Borough Beach to permit authorized Borough staff members, during their scheduled work hours, wearing appropriate safety gear to ride bicycles on the Boardwalk at all times between May 15 and September 15.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that authorized Borough staff wearing appropriate safety gear to ride bicycles on the Boardwalk at all times between May 15 and September 15 during their scheduled work hours.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to the following for their information and action:

1. Borough of Sea Girt Police Department
2. Borough of Sea Girt Beach Manager

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilperson Foley				
Councilperson Buonocore				
Councilperson Morris				
Council President Fetzer				
Councilperson Mulroy				
Councilperson Cerami				

CERTIFICATION

I, Lorraine P. Carafa, Municipal Clerk of the Borough of Sea Girt, County of Monmouth, State of New Jersey, do hereby certify that the foregoing is a true and exact copy of the Resolution that was adopted by the Borough Council of the Borough of Sea Girt at a meeting on March 26, 2014.

Lorraine P. Carafa, RMC
Municipal Clerk

ORDINANCE NO. 04-2014

**AN ORDINANCE CANCELING THE BALANCE OF
VARIOUS GENERAL IMPROVEMENT AUTHORIZATIONS FINALLY
ADOPTED BY THE BOROUGH OF SEA GIRT,
IN THE COUNTY OF MONMOUTH, NEW JERSEY**

WHEREAS, the Borough Council of the Borough of Sea Girt, in the County of Monmouth, New Jersey (the "Borough"), has heretofore finally adopted various general capital improvement authorizations at various times; and,

WHEREAS, on the date of adoption of this ordinance, there remain balances in the various ordinances which are no longer necessary for the purposes authorized therein; and

WHEREAS, the Borough now desires to cancel the balances remaining in the Ordinances to Capital Fund Balance, the Capital Improvement Fund and the Recycling Trust Fund, respectively.

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, NEW JERSEY that:

Section 1. The Borough hereby cancels the excess balances of the appropriations authorized under the various Ordinances shown below, said excess balances totaling \$4,974.83, to Capital Fund Balance to be available for other capital improvement purposes:

ORDINANCE NO.	BALANCE CANCELED
06-2010	\$ 53.55
07-2011	4,717.66
08-2012	203.62
TOTAL	\$ 203.62

Section 2. The Borough hereby cancels the excess balance of Ordinance No. 03-2012 (\$370.31) back to the Capital Improvement Fund, and the Chief Financial Officer is authorized to transfer said excess balance to be available for other capital improvement purposes.

Section 3. Repeal, Severability.

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

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

ORDINANCE 04-2014
(continued)

Section 4. Effective Date

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

PUBLIC NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing Ordinance No. 04-2014 was introduced at a meeting of the Borough Council of the Borough of Sea Girt, County of Monmouth on the 12th day of March, 2014 and was then read for the first time. The said Ordinance will be further considered for final passage by the Borough Council on the 26th day of March, 2014 at 7:30 PM at the Sea Girt School, Bell Place, Sea Girt. At such time and place, or at any time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning the said Ordinance.

Lorraine P. Carafa

LORRAINE P. CARAFA, R.M.C.
Municipal Clerk

ORDINANCE NO. 05-2014

AN ORDINANCE PROVIDING FOR VARIOUS WATER-SEWER UTILITY IMPROVEMENTS IN THE BOROUGH OF SEA GIRT AND PROVIDING FOR THE COST THEREOF FROM FUND BALANCE, OF THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH, NEW JERSEY WATER-SEWER UTILITY OPERATING FUND

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

Section 1. The Borough Council of the Borough of Sea Girt wishes to undertake various water-sewer improvements in the Borough of Sea Girt as listed below:

DESCRIPTION OF IMPROVEMENT	ESTIMATED COST
Acquisition of various equipment for the Water-Sewer Department	\$190,000.00

Section 2. The improvements as stated above are general improvements that the Borough may lawfully undertake and the amount appropriated therefor is \$190,000.00.

Section 3. No debt is to be issued for said improvement and the cost of said improvement is to be financed from the funds presently accumulated in the Water-Sewer Capital Improvement Fund and Fund Balance, respectively, of the Borough of Sea Girt.

Section 4. Repeal, Severability.

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

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

Section 5. Effective Date

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

PUBLIC NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing Ordinance No. 05-2014 was introduced at a meeting of the Borough Council of the Borough of Sea Girt, County of Monmouth on the 12TH day of March, 2014 and was then read for the first time. The said Ordinance will be further considered for final passage by the Borough Council at their Regular Meeting to be held on the 26th day of March, 2014 at the Sea Girt School, Bell Place at 7:30 PM. At such time and place, or at any time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning the said Ordinance.

Lorraine P. Carafa

LORRAINE P. CARAFA, RMC
MUNICIPAL CLERK

**BOROUGH OF SEA GIRT
COUNTY OF MONMOUTH**

BOND ORDINANCE NO. 06-2014

**ORDINANCE REAPPROPRIATING \$190,000 PROCEEDS
OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL
PURPOSES IN ORDER TO PROVIDE FOR THE
ACQUISITION OF EQUIPMENT FOR VARIOUS
BOROUGH DEPARTMENTS AND OTHER RELATED
EXPENSES, IN AND BY THE BOROUGH OF SEA GIRT, IN
THE COUNTY OF MONMOUTH, NEW JERSEY.**

BE IT ORDAINED BY THE COUNCIL OF THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL MEMBERS THEREOF AFFIRMATIVELY CONCURRING) AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$190,000 of the proceeds of obligations originally made available pursuant to Section 3 of Bond Ordinances No. 06-2010, as amended by No. 09-2011, finally adopted on April 14, 2010 and April 13, 2011, respectively, and by No. 25-2013, finally adopted on September 11, 2013, and by Bond Ordinance No. 11-2013 finally adopted on June 12, 2013 by the Borough of Sea Girt, in the County of Monmouth, New Jersey (the "Borough"), are no longer necessary for the purposes for which the obligations previously were authorized. Section 2. The \$190,000 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide for the acquisition of computers for various Borough departments, and equipment for the Department of Public Works, Police Department and Fire Department, and including all work and materials necessary therefor or incidental thereto.

Section 3. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget

ORDINANCE NO. 06-2104
(continued)

and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

PUBLIC NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing Ordinance No. 06-2014 was introduced at a meeting of the Borough Council of the Borough of Sea Girt, County of Monmouth on the 12th day of March, 2014 and was then read for the first time. The said Ordinance will be further considered for final passage by the Borough Council on the 26th day of March, 2014 at 7:30 PM at the Sea Girt School, Bell Place, Sea Girt. At such time and place, or at any time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning the said Ordinance.

Lorraine P. Carafa

LORRAINE P. CARAFA, R.M.C.
Municipal Clerk

**BOROUGH OF SEA GIRT
COUNTY OF MONMOUTH**

BOND ORDINANCE NO. 07-2014

BOND ORDINANCE PROVIDING FOR ROAD IMPROVEMENTS TO BALTIMORE BOULEVARD, AND APPROPRIATING \$650,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$617,500 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, NEW JERSEY

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Sea Girt, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$650,000, said sum being inclusive of all appropriations heretofore made therefore, including the sum of \$32,500 as the down payment for the improvements or purposes required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes from the Borough's Capital Improvement Fund in one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$617,500, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized to be undertaken consist of road improvements to Baltimore Boulevard in the Borough, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Chief Financial Officer, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$617,500, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$650,000, which is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of

delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is twenty (20) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$617,500 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$125,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The

obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ORDINANCE NO. 08-2014

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

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

Section 1. The Borough Council of the Borough of Sea Girt wishes to purchase the necessary equipment to improve the Borough's Recycling Program and to provide for the cost thereof from the Reserve for Recycling Trust Fund.

Section 2. The improvements as stated above are general improvements that the Borough may lawfully undertake and the amount appropriated therefor is \$40,000.00.

Section 3. No debt is to be issued for said improvement and the cost of said improvement is to be financed from the funds presently accumulated in the Reserve for Recycling Trust of the Borough of Sea Girt to the extent of \$40,000.00.

Section 4. Repeal, Severability.

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

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

Section 5. Effective Date

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

PUBLIC NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing Ordinance No. 08-2014 was introduced at a meeting of the Borough Council of the Borough of Sea Girt, County of Monmouth on the 12th day of March, 2014 and was then read for the first time. The said Ordinance will be further considered for final passage by the Borough Council on the 26th day of March, 2014 at 7:30 PM at the Sea Girt School, Bell Place, Sea Girt. At such time and place, or at any time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning the said Ordinance.

Lorraine P. Carafa

LORRAINE P. CARAFA, R.M.C.
Municipal Clerk

ORDINANCE NO. 09-2014

**AN ORDINANCE TO AMEND VARIOUS FEES AND PENALTIES OF THE
BOROUGH CODE OF THE BOROUGH OF SEA GIRT,
COUNTY OF MONMOUTH, NEW JERSEY**

WHEREAS, the Borough Code of the Borough of Sea Girt governs fees and penalties for the Borough of Sea Girt; and,

WHEREAS, based on an investigation conducted by the various Borough officials and professionals, the modification of fees and penalties attached hereto as Schedule A has been recommended, said modifications to be effective May 1, 2014.

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

Section 1. The Sections of the Code of the Borough of Sea Girt regarding fees and penalties as referenced in Schedule A attached hereto, are hereby amended, as more particularly set forth in Schedule A, a copy of which are on file in the office of the Borough Clerk.

Section 2. All amendments to said fees and penalties by this Ordinance shall be effective on May 1, 2014.

Section 3. If any articles, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared severable.

Section 4. All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior Ordinances, the provisions hereof shall be determined to govern.

Section 5. This Ordinance shall take effect twenty (20) days after adoption and final publication as required by law.

PUBLIC NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing Ordinance No. 09-2014 was introduced at a meeting of the Borough Council of the Borough of Sea Girt, County of Monmouth on the 12th day of March, 2014 and was then read for the first time. The said Ordinance will be further considered for final passage by the Borough Council on the 26th day of March, 2014 at 7:30 PM at the Sea Girt School, Bell Place, Sea Girt. At such time and place, or at any time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning the said Ordinance.

Lorraine P. Carafa

LORRAINE P. CARAFA, R.M.C.
Municipal Clerk

BOROUGH OF SEA GIRT

ORDINANCE NO. 09-2014

**Penalty Schedule A - Amending Various Penalties of the
Sea Girt Borough Code**

*payable without court appearance

Borough Code	Description	Fine	Payable*
3-1	Noise	1st \$250.00	No
		2nd \$500.00	No
		3rd \$2,000.00	No
3-1.2	Disturbing the peace	1st \$250.00	No
		2nd \$500.00	No
		3rd \$2,000.00	No
3-1.3	Unnecessary noise	1st \$250.00	No
		2nd \$500.00	No
		3rd \$2,000.00	No
3-8	Consumption or possession alcohol in public place	\$400.00	Yes
3-13	Litter	\$250.00	Yes
3-13.3	Littering on public property	\$250.00	Yes
3-13.7	Throwing litter from vehicle prohibited	\$250.00	Yes
3-27.4	Urinating in public	\$400.00	Yes
4-10	Taxis, autocabs and vehicles for hire	1st \$250.00	No
		2nd \$500.00	No
		3rd \$2,000.00	No
4-10.3	Operator/owners license and drivers license required	1st \$250.00	No
		2nd \$500.00	No
		3rd \$2,000.00	No
4-10.11	Display of license and insurance required	1st \$250.00	No
		2nd \$500.00	No
		3rd \$2,000.00	No
4-10.12	Fares and rates, display required	1st \$250.00	No
		2nd \$500.00	No
		3rd \$2,000.00	No
4-10.13	Lettering and visual identification required	1st \$250.00	No
		2nd \$500.00	No
		3rd \$2,000.00	No

Borough Code	Description	Fine	Payable*
4-10.14	Records of fares required	1st \$250.00 2nd \$500.00 3rd \$2,000.00	No No No
4-10.15	Responsibility to report and retain lost property	1st \$250.00 2nd \$500.00 3rd \$2,000.00	No No No
4-10.18	Restrictions on operation	1st \$250.00 2nd \$500.00 3rd \$2,000.00	No No No
4-10.19	Taxi stand regulations	1st \$250.00 2nd \$500.00 3rd \$2,000.00	No No No
5-3.1	Running at large, 6 ft leash required	\$100.00	Yes
7-10	Parking prohibited-snow plowing	\$85.00	Yes
7-11	Stopping or standing prohibited	\$85.00	Yes
7-12	Parking time limited	\$85.00	Yes
7-14	Parking prohibited all times	\$85.00	Yes
7-14.1	Parking prohibited 5-15 to 9-15	\$85.00	Yes
7-15	Parking prohibited certain hours	\$85.00	Yes
7-15.1	Parking prohibited 5-15 to 9-15	\$85.00	Yes
7-15.2	Parking prohibited with 15 minute exception for drop-off/pick-up	\$85.00	Yes
9-1.2	Beach and boardwalk and dunes	\$100.00	Yes
9-1.2A	Bathing during season at guarded beaches only	\$100.00	Yes
9-1.2B	Prohibited when beach is closed for health	\$100.00	Yes
9-1.2C	Tampering with beach equipment	\$100.00	Yes
9-1.2D	Swimming prohibited, red flag or sign posted	\$100.00	Yes
9-1.2E	Failure to obey order of lifeguard or beach patrol	\$100.00	Yes
9-1.2F	Fail to supply info to purchase beach badge, bath	\$100.00	Yes
9-1.20	Beach badge required	\$100.00	Yes

Borough Code	Description	Fine	Payable*
9-1.2I	Bath houses-fail to obey rules	\$100.00	Yes
9-1.2M	Bicycle on boardwalk-certain times	\$100.00	Yes
9-1.2N	Animals prohibited on beach (exception dogs)	\$100.00	Yes
9-1.2O	Dogs on beach certain times only, leashed	\$100.00	Yes
9-1.2P	Sleeping on beach prohibited 6 pm - 9 am	\$100.00	Yes
9-1.2Q	Jetties-entering upon during bathing hours prohibited	\$100.00	Yes
9-1.2S	Consumption of food on the beach prohibited	\$100.00	Yes
9-1.2U	Boats, jet skis, wave runners, restrictions	\$100.00	Yes
9-1.2Y	Surfing, ball playing, kite flying restrictions	\$100.00	Yes
9-1.4	Wedding ceremonies on the beach-permit required	\$100.00	Yes
9-3	Fishing	\$100.00	Yes
9-5	Kayak storage	\$100.00	Yes
12-2.2I	Construction is permitted only during certain times	1st \$250.00 2nd \$500.00 3rd \$750.00	No No No

*Payable without court appearance

ORDINANCE NO. 10-2014

**AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 9.2 OF CHAPTER IX OF THE
BOROUGH CODE ENTITLED "BEACHES AND BOARDWALK" AND SECTION 3-13
ENTITLED "LITTER"**

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

Section 1. Section 9.1 of Chapter IX, "Beaches and Boardwalks" is hereby amended and supplemented as follows:

9.1(aa). No person shall smoke a cigar, cigarette, pipe or otherwise use tobacco products on the beachfront, boardwalk, beach or boardwalk access pathway at any time.

Section 2. Section 9-1.5 f. Upon conviction for a violation of subsection 9-1.aa, a fine of not less than two hundred fifty (\$250.00) dollars nor more than one thousand (\$1,000.00) dollars shall be imposed

Section 3. Chapter 3, Section 3-13.2 Definitions, Litter is hereby expanded to include any debris or residue from a cigar, cigarette, pipe or other tobacco products.

Section 4. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed, but only to the extent of such inconsistency.

Section 5. This Ordinance shall take effect twenty (20) days after adoption and final publication as required by law.

PUBLIC NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced at a Regular Meeting of the Borough Council of the Borough of Sea Girt held the 12th day of March, 2014 and was then read for the first time. The said Ordinance will be further considered for final passage by the Borough Council on the 26th day of March, 2014 at their Regular Meeting to be held at the Sea Girt School, Bell Place at 7:30 PM. At such time and place, or at any time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning the said Ordinance.

Lorraine P. Carafa

LORRAINE P. CARAFA, RMC
Municipal Clerk

ORDINANCE NO. 11-2014

AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 10.3 OF CHAPTER X OF THE BOROUGH OF SEA GIRT CODE ENTITLED "PARKS AND RECREATION" OF THE BOROUGH OF SEA GIRT, MONMOUTH COUNTY

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

Section 1. Section 10.3 of Chapter X, "Parks and Recreation" is hereby amended and supplemented as follows:

10-3.1.1 No person shall smoke a cigar, cigarette, pipe or otherwise use tobacco products on the municipal tennis courts or the Baltimore Boulevard playground at any time.

Section 2. Section 10.3.2 is hereby supplemented as follows:

10-3.2.1 Upon conviction for a violation of Chapter X, subsection 3.1.1, a fine of not less than two hundred fifty (\$250.00) dollars nor more than one thousand (\$1,000.00) dollars shall be imposed

Section 3. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed, but only to the extent of such inconsistency.

Section 4. This Ordinance shall take effect twenty (20) days after adoption and final publication as required by law.

PUBLIC NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced at a Regular Meeting of the Borough Council of the Borough of Sea Girt held the 26th day of March, 2014 and was then read for the first time. The said Ordinance will be further considered for final passage by the Borough Council on the 9th day of April, 2014 at their Regular Meeting to be held at the Sea Girt School, Bell Place at 7:30 PM. At such time and place, or at any time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning the said Ordinance.

LORRAINE P. CARAFA, RMC
Municipal Clerk

Resolution __-2014

**BOROUGH OF SEA GIRT
COUNTY OF MONMOUTH**

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

WHEREAS, the Borough of Sea Girt is in need of an Acting Administrator until further notice.

NOW, THEREFORE, BE IT RESOLVED that the appointment of Lorraine P. Carafa as Acting Administrator be extended until further notice at the compensation rate of \$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				
Councilman Buonocore				
Councilwoman Morris				
Council President Fetzer				
Councilman Mulroy				
Councilman Cerami				

CERTIFICATION

I, Lorraine P. Carafa, Municipal Clerk of the Borough of Sea Girt, County of Monmouth, State of New Jersey, do hereby certify that the foregoing is a true and exact copy of the Resolution adopted by the Borough Council of the Borough of Sea Girt at a Regular Meeting held on the 26th day of March, 2014.

Lorraine P. Carafa, RMC
Municipal Clerk

BOROUGH OF SEA GIRT

COUNTY OF MONMOUTH, STATE OF NEW JERSEY

RESOLUTION NO. __-2014

RESOLUTION ACCEPTING AND ADOPTING THE MONMOUTH COUNTY MUNICIPAL JOINT INSURANCE FUND'S 2014 SAFETY AND COMPLIANCE PROGRAM

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

WHEREAS, the Borough of Sea Girt is a member of the Monmouth County Municipal Joint Insurance Fund (MONMOUTH JIF); and

WHEREAS, it is the policy of the MONMOUTH JIF to achieve the best and most practical degree of freedom from accidents an/or injuries; and

WHEREAS, the MONMOUTH JIF endeavors to ensure that all of their members' employees, volunteers and public are provided with a safe and healthy environment, free from any recognized hazards; and

WHEREAS, the MONMOUTH JIF endeavors to ensure that all of their members are in compliance with applicable safety and health requirements; and

WHEREAS, the MONMOUTH JIF's Safety Committee is made up of volunteers representing many of the Fund's Municipalities, along with the professionals employed by the Fund; and

WHEREAS, over the past year, the MONMOUTH JIF'S Safety Committee has worked hard to develop a new Safety and Compliance Program like none other in the State that will better represent the members of the Fund's needs; and

WHEREAS, the new Program will assist all the Monmouth JIF's members in becoming or maintaining compliance with all Public Employees Occupational Safety and Health (PEOSH) Requirements; and

WHEREAS, the MONMOUTH JIF has adopted the new 2014 SAFETY AND COMPLIANCE PROGRAM which should succeed in providing a safe, healthful and pleasant environment; and

WHEREAS, the Clerk/Acting Administrator of Borough of Sea Girt has reviewed this SAFETY AND COMPLIANCE PROGRAM and has recommended its adoption by the Governing Body; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth, State of New Jersey that the Monmouth County Municipal Joint Insurance Fund SAFETY AND COMPLIANCE PROGRAM be adopted by the Borough of Sea Girt.

ATTEST _____

Lorraine P. Carafa, Clerk

F. Ken Farrell, Mayor

BOROUGH OF SEA GIRT
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

RESOLUTION NO. _-2014
(continued)

Recorded Vote:

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

CERTIFICATION

I, LORRAINE P. CARAFA, Clerk of the Borough of Sea Girt, do hereby certify that the above is a true and exact copy of the Resolution adopted by the Borough of Sea Girt Borough Council on the 26th day of March, 2014.

LORRAINE P. CARAFA, Municipal Clerk



2014 SAFETY CONTRACT MONMOUTH COUNTY MUNICIPAL JOINT INSURANCE FUND

We, the governing body of _____ recognize the important role an effective safety program plays in lowering employee injury rates, reducing lost time accidents and cutting insurance costs, all of which contribute to greater employee safety and lower tax rates. Health and Safety must never be compromised. Employee safety along with the safety of the public is our number one priority. We applaud the JIF's initiative in providing many of the safety resources needed to enhance our local safety efforts, and we hereby declare our support of the JIF's safety programs. We strive to achieve an accident free environment through a health and safety culture built on:

- **TRUST:** We respect each other's opinions and decisions and will follow through on all health and safety concerns
- **CARE:** We approach each day with the determination to care for ourselves, co-workers and the community we serve
- **KNOWLEDGE:** We seek the education and skills to properly fulfill our responsibilities
- **COMMUNICATION:** We communicate with each other in a clear, open and honest manner.

***Because mutual respect is so important,
We cannot tolerate harassment or other forms of discrimination.***

1. We have established a Safety Committee that meets at least quarterly.
2. We "Put Safety on the Council Agenda" at least once a year.
3. We established a motor vehicle fleet safety program.
4. We keep our regulatory training and written programs current.
5. We conduct periodic hazard inspection surveys and Job Site Observations.
6. We encourage supervisors to make a "daily safety contact" with employees.
7. We manage our claims by reporting all incidents in a timely manner, offering transitional duty and investigating incidents and near misses.
8. We actively promote and support health and wellness activities.

Accepted by:

(Mayor)

Date

(Administrator/Clerk/Manager)

Date

Municipality: _____

The following departments participate in the Safety and Compliance Program.

Department	Department Head Signature	Date
Public Works		
Building & Facilities Maintenance		
Police		
Fire		
EMS		
Utility / Water & Sewer		
Parks & Recreation		
Administrative		
OEM		
Beach Patrol / Lifeguards		
Safety Coordinator		

Safety Committee Meeting Dates (Please include meeting location and time.)

Meeting #1 Date: _____	Meeting #2 Date: _____	Meeting #3 Date: _____	Meeting #4 Date: _____
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Additional meeting dates/location/times: _____

To participate in the Safety and Compliance Program
please sign and return the completed Safety Contract (both pages)
to Karen La Sala by February 15, 2014.

J. A. Montgomery Risk Control, Attn: Karen La Sala
231 Main Street, PO Box 2017
Toms River, New Jersey 08754
E-mail klasala@jamontgomery.com or Fax 856-830-1496

RESOLUTION -2014

RESOLUTION AUTHORIZING BEACH FEES FOR 2014 SEASON

UPON MOTION of Councilman Buonocore, 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 2014.

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 2014 Beach Season, said season to commence on May 24 through September 7, 2014, inclusive.

	<u>2014 Fees</u>
Season Badge	
*Credit card purchase	\$110.00
<i>*Discount for Cash Purchase - \$5.00</i>	\$105.00
Daily Badge	\$ 10.00
Senior Season Badge	
*Credit card purchase	\$ 60.00
<i>*Discount for Cash Purchase - \$5.00</i>	\$55.00
Bath House (includes 5 Season Badges)	
*Credit card purchase	\$1,025.00
<i>*Discount for Cash Purchase - \$25.00</i>	\$1,000.00
Senior rate applies to Bath House -- for every Senior Badge requested \$50 will be deducted from the total	
Bath House Daily (weekday)	
*Credit card purchase	\$20.00
<i>*Discount for cash purchase - \$2.00</i>	\$18.00
Bath House Daily (weekend & holiday)	
*Credit card purchase	\$23.00
<i>*Discount for Cash Purchase - \$3.00</i>	\$20.00
Catamarans -- Deposit	No Change
Catamarans -- Payments	\$410.00 to include
	one seasonal beach badge
Kayak Storage	
*Credit card purchase	\$210.00
<i>*Discount for Cash Purchase - \$10.00</i>	\$200.00
\$25.00 (cash or check only) refundable deposit required in addition to storage fee	
10 Pack of Daily Badges	
*Credit card purchase	\$95.00
<i>*Discount for Cash Purchase - \$5.00</i>	\$90.00

BE IT FURTHER RESOLVED that the Beach Regulations for 2014 as identified on the attachment be and the same are hereby adopted.

RESOLUTION _2014
(continued)

Recorded Vote:

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

CERTIFICATION

I, LORRAINE P. CARAFA, Clerk of the Borough of Sea Girt, do hereby certify that the above is a true and exact copy of the Resolution adopted by the Borough of Sea Girt Borough Council on the 26th day of March, 2014.

LORRAINE P. CARAFA, Municipal Clerk

J-2

Kayaks are prohibited from being launched on North Beach from March 15th until notification from the New Jersey Division of Fish and Wildlife and approval by the Beach Manager or Chief Lifeguard. Kayaks may be launched north of Trenton Beach bathing area daily, subject to safe surf conditions. Kayak storage bins are available for rental from Memorial Day to one week after Labor Day. The fee is \$210 (credit) or \$200 (cash) and requires a \$25 refundable deposit. Registration is required in the Beach Office and will be renewed each year until June 15th. Space is limited. The launching of kayaks on North Beach shall be in accordance with and subject to areas so designated by the Beach Manager/Chief Lifeguard to avoid interference with the Endangered and Protected Species Activity and Habitat.

RESTROOMS

K-1 The Pavilion restrooms will be open during normal beach hours and during special events at the beach.

DOGS ON BOARDWALK AND BEACH

L-1 Borough Ordinance No. 485 prohibits dogs on the boardwalk. Dogs are not permitted on the beach from March 15 to September 30 of any year. At other times of the year any owner or a person having custody or control of a dog may be on the beach only if the dog is securely confined and controlled by an adequate leash not more than six (6) feet in length. The requirements of Ordinance No. 485, Section A7 requiring clean up after any dog are hereby made applicable to the public beach area. Your particular cooperation in the observance of this ordinance is requested.

BICYCLE RIDING

M-1 Riding or standing bicycles on the boardwalk from May 15 to September 15 is restricted to the hours of 5:00 am to 9:00 am. Motorized vehicles are not permitted at any time on the beach or boardwalk. Skates and skateboards are not permitted at any time on the boardwalk.

BOROUGH OFFICE AND POLICE HEADQUARTERS

N-1 The Sea Girt Borough Hall is located at the northeast corner of Baltimore Boulevard and Fourth Avenue. The Police Department, Fire Department and Borough Administrative Offices are located in the building. For ALL Emergencies, dial 911. Police and Fire non-emergency phone number is 732-449-7300. The Municipal Offices phone number is 732-449-9433. Radio communications are maintained between the Borough Hall and Police Patrol Car.

It is the desire of the Borough that its beaches afford the maximum pleasure to the public and the Beach Committee will welcome any suggestions regarding the improvement of beach facilities or administration. Please file all suggestions, in writing, at the office of the Beach Manager at the Pavilion.

N-2

Any person or persons violating any of the foregoing rules and regulations may be prosecuted in accordance with Borough Ordinance No. 17-2010.

ENJOY A SAFE BEACH SEASON

*MAYOR AND COUNCIL
The Borough of Sea Girt, NJ*

Please visit us online – www.seagirtboro.com or
www.seagirtbeachpatrol.org

Revised 3-26-2013



The Borough of Sea Girt, New Jersey 2014 BEACH REGULATIONS



Adopted pursuant to Borough Ordinance #17-2010 as amended regulating the use of bathing beaches.

DUNE GRASS AND DUNE PRESERVATION

Great expense and effort went into planting of the dune grass, planted to preserve the dunes and protect our coast line. Please keep off the dunes. No person may walk or enter upon a protected dune area (Ordinance No. 543)

ENDANGERED-PROTECTED SPECIES CONSERVATION

The Borough of Sea Girt places special emphasis on the protection and conservation of Endangered-Protected Species. We would ask that all of the guests to our beach also be cognizant of this and support our efforts. We would like to encourage you to advise our lifeguards if you see anything of concern as relates to an Endangered-Protected Species. Thank you for visiting our beach.

BEACH BADGES & FOOD/TRASH INFORMATION

A-1 Each and every person (except children under 12 years of age) must have beach badge when using any of the beaches in Sea Girt during posted open hours. This badge shall at all times be displayed on a prominent place.

A-2

Beach badges may be obtained between the hours of 9:00am and 4:00pm at the Bathing Pavilion Office at the foot of Beacon Boulevard or at other to be designated areas along the beachfront. Cash, checks or credit cards are accepted; a discount is offered for cash purchase. Credit card purchases are only available at the Pavilion.

A-3

Lifeguards are on duty daily, 9:15 am to 4:45 pm and from 9:15 am to 5:45 pm on Saturday, Sunday and Holidays from the last weekend in June until September 7 at designated beaches.

A-4

Beach Badges will not be replaced.

A-5

Seasonal Badges are available at \$110.00 (credit), \$105.00 (cash) per badge for the season. **Senior Badges** (age 65 or older) are available at \$60.00 (credit) or \$55.00 (cash) per badge, **available at the Pavilion only** with proper identification. Senior Badges have a distinctive pattern and are for use by seniors only. Seasonal badges are required from Memorial Day weekend and weekends thereafter until June 15, 2013. **Badges are required every day from June 15th until September 7, 2014.**

A-6

Daily Badges are required for the same days as seasonal and are available for \$10.00 per person. These badges can be purchased at the Main Pavilion (cash or credit card) and other designated areas (cash only) along the beachfront.

A-7

Food on the beach is prohibited. Only non-alcoholic beverages in non-disposable containers are permitted on the beach. The throwing, dumping or placing of cans, bottles, containers, papers, food or other waste or refuse material on the beach is prohibited.

A-8

Garbage and recycling containers are located on the boardwalk area. Please use the appropriate container.

BATHING BEACHES

B-1 Bathing is permitted weather permitting at the following locations or as posted.

- Beacon (Pavilion) Beach** Chicago Beach
- Brooklyn Beach** New York Beach
- Trenton Beach** Neptune/Seaside Beach
- Baltimore & Philadelphia Beaches** – conditions permitting at the discretion of Beach Manager/Chief Lifeguard

RESOLUTION __-2014

**BOROUGH OF SEA GIRT
COUNTY OF MONMOUTH**

RESOLUTION AUTHORIZING 2014 RECREATION PROGRAM FEES

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

WHEREAS, the Board of Recreation Commissioners of the Borough of Sea Girt determined that there is a need to charge certain fees in connection with its activities in order to provide recreational programs to the residents of Sea Girt and has made such recommendation to the Borough Council; and

WHEREAS, the Borough Council has determined that the said fees are reasonable and necessary.

NOW, THEREFORE BE IT RESOLVED, by the Council of the Borough of Sea Girt that the fees for 2014 recreation be implemented as follows:.

• **Summer Recreation Program:**

Residents	Current Fees
Full Season Campers	\$200.00
Weekly Campers (new)	\$ 60.00
Daily Campers	\$ 15.00
Discount	\$10.00 for the second child (\$190.00), \$20.00 for the third child (\$180.00)

Non-Residents	Current Fees
Full Season Campers	\$260.00
Weekly Campers (new)	\$ 75.00
Daily Campers	\$ 20.00
Discount	\$5.00 for the second child (\$255.00), \$10.00 for the third child (\$250.00)

RESOLUTION __-2014

**BOROUGH OF SEA GIRT
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING 2014 RECREATION PROGRAM FEES
(continued)**

- All other programs:

PROGRAM	Current Fees		Proposed Fees	
	RESIDENT FEE	NON-RESIDENT FEE	RESIDENT FEE	NON-RESIDENT FEE
Adult Art (March 1 st , new class every 6 – 8 weeks	\$30.00	\$40.00	No change	
Munchkin Soccer (April 27 – June 8)	\$105.00		No change	
Spring Tennis (6 weeks, 1.5 hrs/session)	\$80.00	\$90.00	No change	
Cool Runners (July 2 – July 30) *Borough only receives \$10.00 per participant; will be requesting an increase to \$15.00 this year from sponsor)	\$105.00		No change	
Kid's Tennis	\$50.00	\$60.00	\$55.00	\$65.00
Teen Tennis	\$50.00	\$60.00	\$55.00	\$65.00
Kid's Basketball Clinic (residents only) late fee \$5.00	\$70.00		75.00	
Kid's Basketball League (residents only) late fee \$5.00	\$65.00		\$70.00	
Hip Hop Dance (new program) (July 7 – 11) late fee \$10.00	\$75.00	\$85.00	No change	
NO FEE PROGRAMS: Easter Egg Hunt Mother's Day Essay Contest				
Late registration fee for all programs			\$10.00	

Recorded Vote:

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

RESOLUTION __-2014

**BOROUGH OF SEA GIRT
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING 2014 RECREATION PROGRAM FEES
(continued)**

CERTIFICATION

I, Lorraine P. Carafa, Municipal Clerk of the Borough of Sea Girt, County of Monmouth, State of New Jersey, do hereby certify that the foregoing is a true and exact copy of the Resolution that was adopted by the Borough Council of the Borough of Sea Girt at a meeting on March 26, 2014.

Lorraine P. Carafa, RMC
Municipal Clerk

RESOLUTION -2014

**BOROUGH OF SEA GIRT
COUNTY OF MONMOUTH**

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

WHEREAS, the Recreation Program wishes to sponsor dance classes for various age groups and is in need of an Instructor for these classes; and,

WHEREAS, the Recreation Director has recommended that Brianne Crines, Wall Township NJ be appointed as the instructor for the dance classes to held from July 7th, 2014 through July 11, 2014 inclusive; and,

WHEREAS, the term of employment shall be for the duration of the programs as identified above.

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

1. Brianne Crines is hereby appointed as a temporary part-time employee of the Borough of Sea Girt for the Recreation Program's Summer 2014 dance classes for various age groups at the rate of \$45.00 per hour per class session not to exceed one hours per session per day and to include an extra half hour on the last day of the classes.

Recorded Vote:

	AYE	NAY	ABSENT	ABSTAIN
Councilperson Foley				
Councilperson Buonocore				
Councilperson Morris				
Council President Fetzer				
Councilperson Mulroy				
Councilperson Cerami				

CERTIFICATION

I, Lorraine P. Carafa, Municipal Clerk of the Borough of Sea Girt, County of Monmouth, State of New Jersey, do hereby certify that the foregoing is a true and exact copy of the Resolution that was adopted by the Borough Council of the Borough of Sea Girt at their Regular Meeting held the 26th day of March, 2014.

Lorraine P. Carafa, RMC
Municipal Clerk

RESOLUTION -2014

RESOLUTION AUTHORIZING THE 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 List dated March 21, 2014 in the totals as follows:

CURRENT FUND	\$ 853,467.09
WATER/SEWER OPERATING FUND	\$ 102,251.94
BEACH OPERATING FUND	\$ 13.19
TRUST FUND	\$ 523.00
RECREATION TRUST	\$ 384.66
GENERAL CAPITAL	\$ 35,436.13
WATER CAPITAL	\$ 1,176.00

Recorded Vote:

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

CERTIFICATION AS TO PAYMENT OF BILLS

I, Lorraine Carafa, Chief Financial Officer of the Borough of Sea Girt, do hereby certify that funds are available in the 2013 Appropriation Reserve or 2014 Temporary Appropriations of the Borough of Sea Girt to satisfy the claims listed on the attached schedule.

Lorraine P. Carafa, CFO

CERTIFICATION

I, Lorraine Carafa, Municipal Clerk of the Borough of Sea Girt, County of Monmouth, State of New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the Borough Council at their Regular Meeting held on March 26, 2014.

Lorraine P. Carafa, Municipal Clerk

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

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

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
11-00263	02/25/11	PA1999 PATOCK CONSTRUCTION COMPANY	Blanket (water Plant)	Open	52,847.48	0.00	
11-01350	12/12/11	00392 LEON S. AVAKIAN, INC.	Engineering Planning Brd.	Open	1,080.00	0.00	
11-01430	01/05/12	01166 MONTENEGRO, THOMPSON, ET ALS.	Legal Services Planning Brd.	Open	546.00	0.00	
13-00217	02/15/13	KEK01 The Law Offices of	2013 Legal Srv. Planning Brd.	Open	364.00	0.00	
13-00224	02/20/13	00086 HACH COMPANY	2013 Blanket	Open	65.35	0.00	
13-00226	02/20/13	00321 SEABOARD WELDING SUPPLY, INC.	2013 Tank refills & servicing	Open	16.25	0.00	
13-00606	05/17/13	01699 FARMINGDALE PRINTING	Beach Regs / Safety Insert	Open	325.00	0.00	
13-00959	08/16/13	01662 HATCH MOTT MACDONALD	Site remediation R 170-2013	Open	3,469.22	0.00	
13-01104	09/23/13	00739 EBSCO	2014 Magazine Subscription	Open	37.08	0.00	
13-01282	12/02/13	NJEZPASS NJ E-Z Pass	Toll Violations, T Harmon	Open	103.05	0.00	
13-01365	12/30/13	MUNIDEX Munidex, Inc.	Vital Statistic Software	Open	1,975.00	0.00	
13-01366	12/30/13	00503 MARK WOSZCZAK MECH.CONTS. INC.	Repair Water Main Break	Open	8,305.68	0.00	
14-00001	12/02/13	00964 A'S GARDEN & HOME CENTER	2014 Blanket, PW/ B&G	Open	139.95	0.00	
14-00005	12/31/13	00045 SEA GIRT BOARD OF ED	1st 1/2 2014 school tax	Open	341,041.00	0.00	
14-00010	12/31/13	CLF01 Carton Law Firm	Professional srvs, Prosecutor	Open	953.75	0.00	
14-00011	12/31/13	01258 NJ AMERICAN WATER CO.	2014 Public Fire Services	Open	87.20	0.00	
14-00016	12/31/13	00090 SOUTH MON. REG. SEW. AUTHORITY	2014 Sewer Use Charges	Open	64,589.55	0.00	
14-00034	01/10/14	00774 BOROUGH OF BRIELLE	Rock Salt as per Interlocal	Open	3,993.49	0.00	
14-00038	01/14/14	00614 CABLEVISION	Cable service 2014, Water Util	Open	89.90	0.00	
14-00039	01/14/14	00614 CABLEVISION	Cable service 2014, Beach	Open	13.19	0.00	
14-00044	01/14/14	00053 VAN WICKLE AUTO SUPPLY	2014 Blanket	Open	673.20	0.00	
14-00068	01/15/14	00019 GUARDIAN LIFE INSURANCE	2014 Life Insurance	Open	333.25	0.00	
14-00069	01/15/14	01688 HORIZON BC/BS OF NJ DENTAL	2014 Dental Insurance	Open	2,509.21	0.00	
14-00070	01/15/14	01142 STANDARD INSURANCE COMPANY	2014 Short Term Disability Ins	Open	213.90	0.00	
14-00088	01/20/14	00051 NJ NATURAL GAS CO.	2014 Service 22-0011-3838-10	Open	152.04	0.00	
14-00089	01/20/14	00051 NJ NATURAL GAS CO.	2014 Srv. 18-3392-8000-12	Open	229.94	0.00	
14-00090	01/20/14	00051 NJ NATURAL GAS CO.	2014 Service	Open	1,083.43	0.00	
14-00092	01/22/14	01886 RUTGERS THE STATE UNIV OF NJ	CPWM review class, M. McArthur	Open	622.00	0.00	
14-00095	01/22/14	00046 AQUATIC SERVICES, INC.	2014 Blanket	Open	563.00	0.00	
14-00097	01/23/14	00349 VERIZON WIRELESS	2014 Service	Open	513.95	0.00	
14-00106	01/24/14	00016 JERSEY CENTRAL POWER & LIGHT	2014 Service, Street Lighting	Open	2,105.67	0.00	
14-00109	01/24/14	01786 TOWNSHIP OF WALL	Municipal Court, Postage	Open	41.18	0.00	
14-00110	01/24/14	H1980 Hess Corporation	2014 Gas Service, Paddle Tenni	Open	120.62	0.00	
14-00112	01/24/14	H1980 Hess Corporation	2014 Gas Service, Library	Open	194.58	0.00	
14-00113	01/24/14	H1980 Hess Corporation	2014 Gas Service, Public Works	Open	942.31	0.00	
14-00115	01/27/14	CROSS01 Cross Over Networks	IT Services 2014	Open	3,717.50	0.00	
14-00140	01/30/14	00007 VERIZON	Services 2014	Open	31.93	0.00	
14-00152	02/04/14	01942 ONE CALL CONCEPTS	2014 Service	Open	37.82	0.00	
14-00156	02/04/14	01230 KEPWEL SPRING WATER CO., INC.	2014 Blanket	Open	35.80	0.00	
14-00161	02/04/14	01952 LYNN KROLL	NY Times Library Subscription	Open	53.20	0.00	
14-00163	02/04/14	01166 MONTENEGRO, THOMPSON, ET ALS.	Legal Services 2014	Open	10,392.67	0.00	
14-00168	02/05/14	01635 SWIFTREACH NETWORKS, INC.	2014 Services	Open	265.12	0.00	
14-00170	02/05/14	00203 RUDERMAN & GLICKMAN	2014 Legal Services	Open	6,270.00	0.00	
14-00171	02/05/14	KEK01 The Law Offices of	Legal Services Planning Brd.	Open	812.00	0.00	
14-00173	02/05/14	00334 HOME DEPOT CREDIT SERVICES	2014 Blanket	Open	912.75	0.00	
14-00176	02/05/14	00894 NJ PLANNING OFFICIALS	Planning Zoning Brd Classes	Open	133.00	0.00	
14-00180	02/06/14	00180 ENTENMANN-ROVIN CO.	Sergeant Badges, J. Macko	Open	270.50	0.00	
14-00201	02/18/14	00255 AMERICAN UNIFORM & SUPPLY	SGFD Patches	Open	375.00	0.00	
14-00205	02/18/14	01625 GRAINGER	Janitorial Supplies	Open	412.54	0.00	
14-00206	02/18/14	FF001 Firefighter One	MSA 30min. SCBA Air Cylinders	Open	8,760.85	0.00	

March 21, 2014
02:20 PM

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

Page No: 2

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	
14-00207	02/19/14	KEK01	The Law Offices of	PB KREGG, 613 Brooklyn Blvd.	Open	280.00	0.00	
14-00211	02/20/14	01245	F & C AUTO PARTS	Repair part for truck 6	Open	521.56	0.00	
14-00215	02/24/14	01625	GRAINGER	2YKN3 Hand lamp LED	Open	137.34	0.00	
14-00230	02/19/14	00653	Ralph Clayton & Sons	Misc Supplies	Open	105.07	0.00	
14-00232	02/26/14	01642	FREEHOLD FORD	Repair parts	Open	228.14	0.00	
14-00233	02/26/14	00053	VAN WICKLE AUTO SUPPLY	Lubricants and fluids	Open	5,482.90	0.00	
14-00234	02/27/14	01901	JOE JOE'S PIZZERIA	Pizza party, winter basketball	Open	112.00	0.00	
14-00237	02/27/14	00915	WILFRED - MACDONALD	Vehicle Repair parts	Open	154.63	0.00	
14-00240	02/28/14	00430	ALL HANDS FIRE EQUIPMENT	Swift awter Awareness Training	Open	150.00	0.00	
14-00243	03/04/14	00540	SEA COAST CHEVROLET	Switch	Open	13.16	0.00	
14-00244	03/04/14	00086	HACH COMPANY	Reagent Set	Open	291.60	0.00	
14-00247	03/04/14	01466	ANCHOR RUBBER STAMP CO.	Stamp for Tac Collectors Certi	Open	38.50	0.00	
14-00254	03/07/14	OTOOLE	Ann O'Toole	Refund fee for Art Class	Open	40.00	0.00	
14-00255	03/07/14	01912	STAPLES ADVANTAGE	Chair	Open	154.56	0.00	
14-00256	03/07/14	00503	MARK WOSZCZAK MECH.CONTS. INC.	New 1" Tap 114 Neptune PL.	Open	2,500.00	0.00	
14-00257	03/10/14	00503	MARK WOSZCZAK MECH.CONTS. INC.	Poss/Clayton damage @ 405 Tren	Open	4,882.48	0.00	
14-00258	03/10/14	01625	GRAINGER	Jump starte & Duster14-099	Open	373.78	0.00	
14-00262	03/11/14	01642	FREEHOLD FORD	Parts	Open	228.14	0.00	
14-00263	03/11/14	00060	MGL PRINTING SOLUTIONS	Signature Stamps	Open	89.00	0.00	
14-00264	03/11/14	00552	EDWARDS TIRE CO.	Tires	Open	329.24	0.00	
14-00268	03/14/14	01796	PRUDENTIAL RETIREMENT	P/R 3.14.14	Open	176.97	0.00	
14-00271	03/12/14	01923	CIRCLE DODGE	Repair parts	Open	134.72	0.00	
14-00273	03/13/14	GREER	Greer Law Firm	Court Appearance 3.12.14	Open	250.00	0.00	
14-00274	03/13/14	01895	ALAN C. BUNTING	A. Bunting settlement	Open	30,404.47	0.00	
14-00282	03/17/14	00200	SEA GIRT FIRE CO. #1	Remit Donation to Fire Dept.	Open	75.00	0.00	
14-00293	03/21/14	01741	PATRICIA PETERSON	Advance for Easter Egg Hunt	Open	250.00	0.00	
Total Purchase Orders:		76	Total P.O. Line Items:	0	Total List Amount:	570,224.36	Total Void Amount:	0.00

14-00274	A. Bunting	Settlement	30,404.48
14-00288	Wells Fargo	SCBA gear finance payment	23,206.06
13-01176	R & R Radar	Radar Certificatio & Repair	861.90
13-00632	J Gallant Costruction	Refund	100.00
	State Pensions & Benefits	Annual Appropriation	395,007.00
	SMMUA	1st Quarter 2014	<u>29,210.39</u>
			1,049,014.19

Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
TRUST OTHER	1-25	0.00	1,626.00	1,626.00	0.00	0.00	1,626.00
CURRENT FUND	3-01	10,280.68	53.33	10,334.01	0.00	0.00	10,334.01
WATER OPERATING	3-05	0.00	65.35	65.35	0.00	0.00	65.35
BEACH OPERATING	3-09	0.00	325.00	325.00	0.00	0.00	325.00
TRUST OTHER	3-25	0.00	364.00	364.00	0.00	0.00	364.00
BOARD OF RECREATI	3-26	0.00	103.05	103.05	0.00	0.00	103.05
Year Total:		10,280.68	910.73	11,191.41	0.00	0.00	11,191.41
		843,186.41					
CURRENT FUND	4-01	416,813.03	133.00	416,946.03	0.00	0.00	416,946.03
		102,251.94					
WATER OPERATING	4-05	73,041.55	0.00	73,041.55	0.00	0.00	73,041.55
BEACH OPERATING	4-09	13.19	0.00	13.19	0.00	0.00	13.19
TRUST OTHER	4-25	523.00	28.00	551.00	0.00	0.00	551.00
BOARD OF RECREATI	4-26	384.66	40.00	424.66	0.00	0.00	424.66
Year Total:		490,775.43	201.00	490,976.43	0.00	0.00	490,976.43
		35,436.13					
GENERAL CAPITAL	C-04	12,230.07	0.00	12,230.07	0.00	0.00	12,230.07
	P-99	0.00	176.97	176.97	0.00	0.00	176.97
WATER CAPITAL	W-06	1,176.00	52,847.48	54,023.48	0.00	0.00	54,023.48
Total of All Funds:		514,462.18	55,762.18	570,224.36	0.00	0.00	570,224.36
		993,252.01					1,049,014.19

Resolution __-2014

ADJOURN TO EXECUTIVE SESSION

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

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

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

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

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

RECORDED VOTE:

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

CERTIFICATION

I, LORRAINE P. CARAFA, CLERK of the Borough of Sea Girt, do hereby certify the above to be a true and exact copy of the Resolution adopted by the Borough Council at a Regular Meeting held the 26th day of March, 2014.

LORRAINE P. CARAFA, RMC
Municipal Clerk

Dawn Harriman

From: Dawn Harriman <dharriman@seagirtboro.com>
Sent: Wednesday, March 19, 2014 3:20 PM
To: nmontenegro@mtmglaw.com
Cc: Lorraine Carafa (Lcarafa@seagirtboro.com)
Subject: Patock vs Sea Girt
Attachments: Patock vs Sea Girt.pdf

FYI

Martin J. Arbus, Esq. (ID #010991979)
ARBUS, MAYBRUCH & GOODE, LLC
61 Village Court
Hazlet, New Jersey 07730
(732) 888-0002
Attorneys for Plaintiffs (AM-8217)

PATOCK CONSTRUCTION COMPANY,

Plaintiff,

v.

BOROUGH OF SEA GIRT, a municipal
corporation, ABC COMPANIES 1-25
(unknown entities) and JOHN DOES 1-25
(unknown individuals),

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, MONMOUTH COUNTY

Civil Action

Docket No. MON-L-907-14

SUMMONS

From the State of New Jersey to the Defendant named above:

The plaintiff, named above, has filed a complaint against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the Deputy Clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each Deputy Clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, CN-971, Trenton, New Jersey 08625. A filing fee of \$135, payable to the Clerk of the Superior Court, and a completed case information statement (available from the Deputy Clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appears above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee and completed case information statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not

eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

/s/ Michelle M. Smith

MICHELLE M. SMITH, Clerk
Superior Court of New Jersey

Date: March 17, 2014

Name of Defendant to be served: Borough of Sea Girt
Address of Defendant to be served: 321 Baltimore Boulevard
Sea Girt, NJ 08750

ATLANTIC COUNTY:

Clerk of the Superior Court
Civil Division, Direct Filing
1201 Bacharach Blvd. First Fl.
Atlantic City, NJ 08401
LAWYER REFERRAL
(609) 345-3444
LEGAL SERVICES
(609) 348-420

BERGEN COUNTY:

Clerk of the Superior Court
Case Processing Sec., Rm. 119
Justice Center, 10 Main Street
Hackensack, NJ 07601-0769
LAWYER REFERRAL
(201) 488-0044
LEGAL SERVICES
(201) 487-2166

ESSEX COUNTY:

Clerk of the Superior Court
237 Hall of Records
465 Martin Luther King Blvd.
Newark, NJ 07102
LAWYER REFERRAL
(973) 622-6207
LEGAL SERVICES
(973) 624-4500

HUNTERDON COUNTY:

Clerk of the Superior Court
Civil Division
65 Park Avenue
Flemington, NJ 08862
LAWYER REFERRAL
(609) 735-2611
LEGAL SERVICES
(609) 782-7979

MONMOUTH COUNTY:

Clerk of the Superior Court
71 Monument Park
P. O. Box 1262
Freehold, NJ 07728-1262
LAWYER REFERRAL
(732) 431-5544
LEGAL SERVICES
(732) 866-0020

PASSAIC COUNTY:

Clerk of the Superior Court
Civil Division, Court House
77 Hamilton Street
Paterson, NJ 07505
LAWYER REFERRAL
(973) 278-9223
LEGAL SERVICES
(973) 345-7171

SUSSEX COUNTY:

Clerk of the Superior Court
Sussex County Judicial Center
43-47 High Street
Newton, NJ 07860
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 383-7400

BURLINGTON COUNTY:

Clerk of the Superior Court
First Floor, Courts Facility
49 Rancocas Road
Mt. Holly, NJ 08060
LAWYER REFERRAL
(609) 261-4862
LEGAL SERVICES
(609) 261-1088

CAMDEN COUNTY:

Clerk of the Superior Court
First Floor, Hall of Records
101 South Fifth Street
Camden, NJ 08103
LAWYER REFERRAL
(609) 964-4520
LEGAL SERVICES
(609) 964-2010

GLOUCESTER COUNTY:

Clerk of the Superior Court
First Floor, Court House
One North Broad Street
P. O. Box 129
Woodbury, NJ 08096
LAWYER REFERRAL
(609) 848-4589
LEGAL SERVICES
(609) 848-5360

MERCER COUNTY:

Clerk of the Superior Court
175 South Broad Street
P. O. Box 8068
Trenton, NJ 08650
LAWYER REFERRAL
(609) 585-6200
LEGAL SERVICES
(609) 695-6249

MORRIS COUNTY:

Clerk of the Superior Court
30 Schuyler Place
P.O. Box 910
Morristown, NJ 07960-0910
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 285-6911

SALEM COUNTY:

Clerk of the Superior Court
92 Market Street
P. O. Box 18
Salem, NJ 08079
LAWYER REFERRAL
(609) 678-8363
LEGAL SERVICES
(609) 451-0003

UNION COUNTY:

Clerk of the Superior Court
First Floor, Court House
Two Broad Street
Elizabeth, NJ 07207-6073
LAWYER REFERRAL
(908) 353-4715
LEGAL SERVICES
(908) 354-4340

CAPE MAY COUNTY:

Clerk of the Superior Court
Nine North Main Street
Box DN-209
Cape May, NJ 08210
LAWYER REFERRAL
(609) 463-0313
LEGAL SERVICES
(609) 465-3001

CUMBERLAND COUNTY:

Clerk of the Superior Court
Broad & Fayette Streets
P. O. Box 615
Bridgeton, NJ 08302
LAWYER REFERRAL
(609) 692-6207
LEGAL SERVICES
(609) 451-0003

HUDSON COUNTY:

Clerk of the Superior Court
Brennan Courthouse, First Floor
583 Newark Avenue
Jersey City, NJ 07306
LAWYER REFERRAL
(201) 798-2727
LEGAL SERVICES
(201) 792-6363

MIDDLESEX COUNTY:

Clerk of the Superior Court
One Kennedy Square, 3rd Floor
P. O. Box 2633
New Brunswick, NJ 08903
LAWYER REFERRAL
(732) 828-0053
LEGAL SERVICES
(732) 249-7600

OCEAN COUNTY:

Clerk of the Superior Court
Court House Room 119
118 Washington Street
Toms River, NJ 08754
LAWYER REFERRAL
(732) 240-3666
LEGAL SERVICES
(732) 341-2727

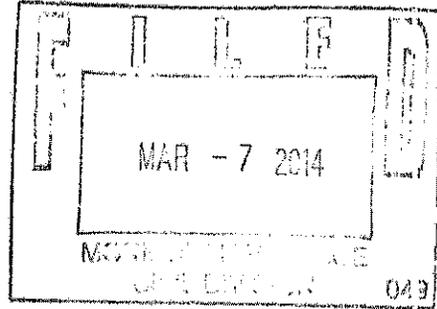
SOMERSET COUNTY:

Clerk of the Superior Court
New Court House, 3rd Floor
P. O. Box 3000
Somerville, NJ 08876
LAWYER REFERRAL
(908) 685-2323
LEGAL SERVICES
(908) 231-0840

WARREN COUNTY:

Clerk of the Superior Court
Civil Division Office
Court House
Belvidere, NJ 07823-1500
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 475-2010

Martin J. Arbus, Esq. (ID #010991979)
ARBUS, MAYBRUCH & GOODE, LLC
61 Village Court
Hazlet, New Jersey 07730
(732) 888-0002
Attorneys for Plaintiffs (AM-8127)²¹⁷



PATOCK CONSTRUCTION COMPANY,

Plaintiff,

v.

BOROUGH OF SEA GIRT, a municipal corporation, ABC COMPANIES 1-25 (unknown entities) and JOHN DOES 1-25 (unknown individuals),

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, MONMOUTH COUNTY

Civil Action

Docket No. MON-L-907-14

PLAINTIFF'S COMPLAINT, JURY DEMAND,
AND TRIAL DESIGNATION

Plaintiff, Patock Construction Company, with its principal place of business at 43 Gilbert Street North, Borough of Tinton Falls, County of Monmouth, and State of New Jersey, by way of Complaint against the Defendants, says:

PARTIES

1. Patock Construction Company ("Patock") is a domestic entity with its principal place of business at 43 Gilbert Street North, Borough of Tinton Falls, County of Monmouth, and State of New Jersey.

2. Borough of Sea Girt ("Borough" or "Sea Girt") is a municipal corporation with its principal place of business at 321 Baltimore Blvd, Borough of Sea Girt, County of Monmouth, and State of New Jersey.

3. ABC Companies 1-25 (unknown entities) are duly formed organizations and, at all times relevant hereto, were authorized to do business in the State of New Jersey.

4. John Does 1-25 (unknown individuals) are persons whose identities are unknown at this time.

FACTUAL BACKGROUND

5. On or about August 27, 2010, the Borough awarded a contract with Patock for the construction of a Water Treatment Plant (the "Plant").

6. The contract called for Patock, as contractor, to construct the Sea Girt Water Treatment Plant ("Project") in accordance with engineering plans drafted by Hatch Mott MacDonald Engineers ("Hatch Mott").

7. The Project consisted of two phases.

8. Phase 1 of the project consisted of furnishing and installation of labor and materials to construct a 2,100 square foot addition to the existing municipal pump house building, per the proposal plans and specifications.

9. Phase 2 of the project was to commence upon completion and operation of a new filter facility and consisted of demolition of the existing filter house and associated equipment and construction of a gravel parking area. Patock's work also included fencing relocations to accommodate the new site layout.

10. On or about September 16, 2010, the Borough issued a "Notice to Proceed" for Patock to begin construction.

11. On November 5, 2010 Patock submitted for the Borough's approval, a required work schedule.

12. Patock's schedule had a start date of September 16, 2010 and a substantial completion date of January 9, 2012.

13. However, as a result of circumstances beyond Patock's control, the Project was delayed, thereby causing Patock additional costs.

14. The first portion consists of costs incurred by Patock Construction Company was part of the agreed 120 day extension of time that has been recognized and accepted by the Owner.

15. The second portion was as a result of change conditions that occurred on the Project which resulted in the Project being complete on August 11, 2013 or an additional 460 days later than contracted including the agreed extension.

Weather Related Delays

16. Patock's baseline schedule indicates it originally planned for normal weather experienced in the State of NJ over the past decade. However, recent climactic changes resulted in severe weather beyond what could be anticipated during bidding and scheduling.

17. The first such occurrence was in the winter of 2011 which caused Patock to suffer increased costs and delays as a result of low temperatures and snow storms that were drastic in terms of quantity of storms and severity. This was documented on February 22, 2011 in a letter to Hatch Mott.

18. Later in that same year, New Jersey experienced Hurricane Irene which caused further unforeseen costs and delays to be incurred by Patock. This was documented to the Borough and Hatch Mott on August 25, 2011. Both of these weather related delays occurred at critical point of the construction process during the installation of footing and foundations and structural steel erection in the project. This significantly delayed the overall project as well as caused Patock to incur costs due to re-sequencing and/or rescheduling of work.

Exterior Fencing

19. During Phase 2 of the project, Patock, as part of its original contract, was to realign the exterior perimeter fence. This work was to be coordinated by the Borough and initiated with the permission of New Jersey Transit.

20. A letter advising the Borough of such was issued on April 6, 2012. As of three weeks later, the Borough still did not approve the installation of said fencing and as of June 16, 2012 was still requesting changes to the perimeter fencing of the project. This greatly hampered Patock's ability to complete the project in a timely manner as at this point exterior fencing was one of the few remaining contractual tasks.

Change Orders

21. During the construction of the Project, over sixty-five (65) Change Order Requests were submitted to the Borough and Hatch Mott for approval. However, there was a great disparity between the date of issuance of the Request for Change Order and actual issuance of a Change Order by the Borough.

22. In many cases approval of this work greatly impacted the schedule of the project to a point where the project could not proceed without Borough approval. Yet, as indicated, the Borough repeatedly and consistently failed to provide decisions as to whether the requested work was to proceed, thus impacting Patock Construction in terms of project costs and schedule delays.

Asbestos Abatement

23. Patock, as part of its contractual work, discovered Asbestos Containing Materials ("ACM") in two separate instances. These materials were discovered during critical times in the construction process and at both instances caused Patock to incur a delay.

24. The first instance occurred during Phase 1 of the project on April 12, 2011. The Borough was notified of the discovery of the ACM materials and no direction was received until late May, 2011 to proceed with the work under a contract allowance. The six (6) weeks duration required for the Borough to decide on how to proceed greatly impacted Patock thus forcing it to incur additional costs.

25. A second occurrence of the discovery of ACM materials occurred at the start of the Phase 2 demolition. The Borough was made aware of this potential issue on March 16, 2012 via Request for Change Order # 52.

26. As of April 30, 2012, the Borough still had not issued the authority to proceed with the asbestos remediation at a time when Patock was essentially at a standstill on the project. This significantly delayed Patock by months as the Asbestos Abatement had to occur prior to Patock being able to demolish the buildings and proceed with Phase 2 of the project.

27. Due to the extended performance, Patock incurred additional costs in additional meetings, supervision, interest on retainage, on-site direct costs and home office overhead.

FIRST COUNT
(Breach of Contract against Sea Girt)

28. Plaintiff repeats its allegations contained in the prior paragraphs of the Complaint and makes them a part hereof.

29. On or about August 27, 2010, Patock entered into a Contract with the Borough to perform certain construction services related to the Project.

30. The original contract amount between the Borough and Patock was \$3,232,477.00.

31. The parties agreed to change orders totaling \$147,765.03. The total contract amount including the change orders was \$3,380,242.03.

32. As of the date of this Complaint, there remains a balance due of \$225,136.18.

33. Patock has performed all of its work in the Contract in a workmanlike and proper manner and in a timely manner. The balance due of \$225,136.18 has been due and owing and the Borough has failed to pay that balance due despite numerous demands and requests for the same.

WHEREFORE, Plaintiff, Patock Construction Company, demands judgment against the Borough of Sea Girt, for the sum of \$225,136.18 together with interest, costs of suit, and for such additional or alternative relief that the Court deems just and equitable.

SECOND COUNT
(Quantum Meruit Against Sea Girt)

34. Plaintiff repeats its allegations contained in the prior paragraphs of the Complaint and makes them a part hereof.

35. Patock is entitled under the theory of *quantum meruit* to the reasonable value of labor, material and service furnished by Patock to the Borough based upon the Borough's implied agreement to pay for the reasonable value of same.

36. The unpaid reasonable value of the labor, materials, and other services furnished by Patock at the request of the Borough is the sum of \$225,136.18.

37. The Borough has been unjustly enriched by the retention of the labor, materials, and services provided by Patock, without paying for same.

38. Patock has demanded payment from the Borough; however, the Borough has refused to pay Patock the balance due.

WHEREFORE, Plaintiff, Patock Construction Company, demands judgment against the Borough of Sea Girt, for the sum of \$225,136.18 together with interest, costs of suit, and for such additional or alternative relief that the Court deems just and equitable.

THIRD COUNT
(Delay Claims Against Sea Girt)

39. Plaintiff repeats its allegations contained in the prior paragraphs of the Complaint and makes them a part hereof.

40. The contract entered into between the Borough and Patock anticipated a completion date of January 9, 2012.

41. Thereafter, as a result of actions outside of the control of Patock, there were a number of revised construction schedules and revised completions dates.

42. Based upon the Borough's delays in making decisions related to various aspects of the project including, but not limited to, unforeseen site conditions that were known or should have been known by the Borough, together with mismanagement, there were numerous delays in the efforts by Patock to perform its obligation pursuant to the contract.

43. The cause for the delays was not the responsibility of Patock.

44. The delays which were the responsibility of the Borough resulted in additional expense and costs to Patock.

45. As a result of those delays, which were the responsibility of the Borough, Patock has suffered significant damages.

WHEREFORE, Plaintiff, Patock Construction Company, demands judgment against the Borough of Sea Girt, for compensatory damages together with interest, costs of suit, and for such additional or alternative relief that the Court deems just and equitable.

DESIGNATION OF TRIAL COUNSEL

Pursuant to Rule 4:25-4, Martin J. Arbus, Esq. has been designated as trial counsel in this matter.

JURY DEMAND

Patock Construction Company, Inc. hereby demands a trial by jury as to all issues raised in this matter.

CERTIFICATION UNDER RULE 4:5-1

Pursuant to Rule 4:5-1, the undersigned hereby certifies that at the time of filing of this Amended Answer the matter in controversy is not the subject of any other action pending in any court or pending arbitration proceeding to the best of my knowledge.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing is willfully false, I am subject to punishment.

CERTIFICATION

I hereby certify that the original and one copy of the within Complaint have been forwarded for filing to the Clerk of Superior Court, Law Division, Monmouth County Court House, Freehold, New Jersey.

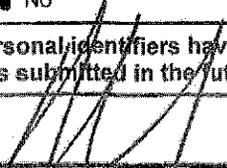
ARBUS, MAYBRUCH & GOODE, LLC

By: _____

Martin J. Arbus

Date: March 5, 2014

Appendix XII-B1

	CIVIL CASE INFORMATION STATEMENT (CIS)		FOR USE BY CLERK'S OFFICE ONLY		
			PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA		
			CHG/CK NO.		
			AMOUNT:		
		OVERPAYMENT:		BATCH NUMBER:	
ATTORNEY / PRO SE NAME Martin J. Arbus		TELEPHONE NUMBER (732) 888-0002		COUNTY OF VENUE Monmouth	
FIRM NAME (if applicable) Arbus, Maybruch & Goode, LLC		DOCKET NUMBER (when available) MON-L-907-14			
OFFICE ADDRESS 61 Village Court Hazlet, New Jersey 07730		DOCUMENT TYPE Complaint			
		JURY DEMAND <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
NAME OF PARTY (e.g., John Doe, Plaintiff) Patock Construction Company		CAPTION Patock Construction Company v. Borough of Sea Girt, ABC Companies 1-25 unknown entities) and John Does 1-25 (unknown individuals)			
CASE TYPE NUMBER (See reverse side for listing) 599		IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A -27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.			
RELATED CASES PENDING? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, LIST DOCKET NUMBERS			
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) <input type="checkbox"/> NONE <input checked="" type="checkbox"/> UNKNOWN			
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.					
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION					
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS			
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION					
 DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION			
WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, FOR WHAT LANGUAGE?			
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).					
ATTORNEY SIGNATURE: 					



CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under *Rule 4:5-1*

CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

Track I - 150 days' discovery

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 612 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

Track II - 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603N AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE - PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 899 TORT - OTHER

Track III - 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

Track IV - Active Case Management by Individual Judge / 450 days' discovery

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

Centrally Managed Litigation (Track IV)

- | | |
|--|---|
| 285 STRYKER TRIDENT HIP IMPLANTS | 291 PELVIC MESH/GYNECARE |
| 288 PRUDENTIAL TORT LITIGATION | 292 PELVIC MESH/BARD |
| 289 REGLAN | 293 DEPUY ASR HIP IMPLANT LITIGATION |
| 290 POMPTON LAKES ENVIRONMENTAL LITIGATION | 295 ALLODERM REGENERATIVE TISSUE MATRIX |
| | 623 PROPECIA |

Mass Tort (Track IV)

- | | |
|---------------------------------------|--|
| 266 HORMONE REPLACEMENT THERAPY (HRT) | 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL |
| 271 ACCUTANE/ISOTRETINOIN | 282 FOSAMAX |
| 274 RISPERDAL/SEROQUEL/ZYPREXA | 284 NUVARING |
| 278 ZOMETA/AREXIA | 286 LEVAQUIN |
| 279 GADOLINIUM | 287 YAZ/YASMIN/OCELLA |
| | 601 ASBESTOS |

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category Putative Class Action Title 59

MONMOUTH COUNTY
SUPERIOR COURT
PO BOX 1269
FREEHOLD

NJ 07728

COURT TELEPHONE NO. (732) 677-4240
COURT HOURS

TRACK ASSIGNMENT NOTICE

DATE: MARCH 13, 2014
RE: PATOCK CONSTRUCTION VS SEA GIRT BOROUGH ET AL
DOCKET: MON L -060907 14

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON JOSEPH P. QUINN

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 001
AT: (732) 677-4262 EXT 4262.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

ATT: MARTIN J. ARBUS
ARBUS MAYBRUCH & GOODE LLC
61 VILLAGE COURT
HAZLET NJ 07730

JUNNAND

RECEIVED

MAR 13 2014

8217

ARTHUR MAYBRUCH & GOODE, LLC