

MINUTES - REGULAR MEETING – NOVEMBER 12, 2014

BOROUGH COUNCIL, BOROUGH OF SEA GIRT

The Regular Meeting of the Borough of Sea Girt Council was called to order by Mayor Ken Farrell at 7:30 PM on Wednesday, November 12, 2014 at the Sea Girt Elementary School, Bell Place, Sea Girt. The Mayor asked that we all remember the Veterans who stood in harm's way to preserve freedom and democracy. He requested a moment of silence and then led those in attendance in the Pledge of Allegiance.

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

1. ROLL CALL:

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

2. **PUBLIC PARTICIPATION ON ANY AGENDA ITEM:** There were no comments from the public present.

3. **CONSENT AGENDA:** None

4. APPROVE MINUTES:

- **Resolution 212-2014:** October 22, 2014 Regular Meeting

UPON MOTION of Councilperson Buonocore, seconded by Councilperson Morris, carried, that the Minutes of the Regular Meeting held November 12, 2014 be and the same are hereby adopted as presented.

Recorded Vote:

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

5. OPEN DISCUSSION:

Mayor Farrell congratulated all the election winners: Councilman Foley, Councilman-elect James Rotolo, BOE members Deborah Bellaran and Tom Loughlin, Congressman Smith and Freeholders Burry and Rich.

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6. OLD BUSINESS

A. Resolution 213-2014: Reconsideration of request for refund of PB filing fee for minor subdivision (Block 70, Lot 16) by Applicant 500 Brooklyn Blvd., LLC (\$500 requested; lesser amount could be approved).

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

WHEREAS, 500 Brooklyn Boulevard, LLC submitted a Planning Board application for a minor subdivision at Block 70, Lot 16, also known as 500 Brooklyn Boulevard, in the Borough of Sea Girt, with the required fees and subsequently withdrew its application, requesting a refund of the fee; and,

WHEREAS, this request was denied by the Borough Council on October 22, 2014; and.

WHEREAS, further review of current Borough Ordinances indicate that they are silent with respect to the refund of application fees.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth that the request of 500 Brooklyn Boulevard, LLC for the refund of the Planning Board application fee of \$400.00 be and the same is reconsidered and hereby approved.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be supplied to 500 Brooklyn Boulevard, LLC for its information and the Chief Financial Officer for his information/action, if appropriate.

Recorded Vote:

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

7. NEW BUSINESS

A. Ordinances - introduction

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

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

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

Section 1. Section 9-1.4 Wedding Ceremonies on the Beach, shall be amended as follows:

Anyone wishing to hold a wedding ceremony on the beach in the Borough of Sea Girt shall first obtain a permit from the Office of the Municipal Clerk after making written application sixty (60) days prior to the date desired. Applications for permits shall be accompanied by a fifty (\$50.00) dollar deposit which shall be non-refundable. No wedding ceremonies shall be held on North Beach. No wedding ceremonies shall be held during beach operating hours. All wedding ceremonies shall be subject to all provisions of this section. (Ord. No. 17-2010 § 4; Ord. No. 05-2011)

Section 2. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed, but only to the extent of such inconsistency.

Section 3. This Ordinance shall take effect twenty (20) days after adoption and final publication as required by law.

UPON MOTION of Councilperson Foley, seconded by Councilperson Morris, carried, that the said Ordinance be and the same is hereby adopted on first reading, directing the Clerk to post and publish as required as law and setting the date for the public hearing as December 10, 2014.

Recorded Vote:

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

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

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

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

Section 1: Section 15-3.4, Fees of Chapter XV, Land Use Procedures, is hereby amended and supplemented as follows:

15-3.4 Fees.

a. Fees for application or for the rendering of any service by the Planning Board or Zoning Board of Adjustment or any member of their administrative staffs which is not otherwise provided by ordinance may be provided for and adopted as part of the rules of the Board and copies of the rules or of the separate fee schedule shall be available to the public. Any fee schedules are hereby saved from repeal, continued in existence and hereby incorporated herein by reference.

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b. The following fees shall be paid by all applicants to the Board of Adjustment and the Planning Board of the Borough of Sea Girt, which fees shall be payable at the time of filing of the application. Application fees are non-refundable.

1. Application for subdivision for two lots..... \$500.00
 **for each additional lot \$150.00
 Escrow fee for subdivision (minor)..... \$3,000.00
 Escrow fee for subdivision (major)..... \$5,000.00
2. Application for Variance..... \$500.00
 Escrow fee for Variance..... \$5,000.00
3. Application for Interpretation of Zoning Ordinance
 or Zoning Officer \$500.00
 Escrow fee for Interpretation \$1,250.00
4. Application for Hardship or Use Structure (residential) \$500.00
 Residential Escrow..... \$3,000.00
 Application for Hardship or Use Structure (commercial)..... \$750.00
 Commercial Escrow..... \$5,000.00
5. Special Meeting Held at Applicant's Request \$1,000.00
6. Site plan application..... \$500.00
 Site plan escrow \$5,000.00

7. Fee for informal conferences before the Planning Board shall be one thousand (\$1,000.00) dollars, seven hundred fifty (\$750.00) dollars of which shall be placed in escrow to cover any professional services rendered and two hundred fifty (\$250.00) of which shall be retained as the non-refundable application fee.

Section 2. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed, but only to the extent of such inconsistency.

Section 3. This Ordinance shall take effect twenty (20) days after adoption and final publication as required by law.

UPON MOTION of Councilperson Buonocore, seconded by Councilperson Foley, carried, that the said Ordinance be and the same is hereby adopted on first reading, directing the Clerk to post and publish as required as law and setting the date for the public hearing as December 10, 2014.

Recorded Vote:

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

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

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

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 the acquisition of equipment for the Beach Utility in the Borough of Sea Girt as listed below:

DESCRIPTION OF IMPROVEMENT	ESTIMATED COST
Acquisition of equipment for the Beach Utility	\$70,000.00

Section 2. The improvements as stated above are general improvements that the Borough may lawfully undertake and the amount appropriated therefor is \$70,000.00.

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 Insurance Proceeds of the Borough of Sea Girt.

Section 4. Repeal, Severability.

- a. All ordinances or parts of ordinances inconsistent herewith are repealed, but only to the extent of such inconsistency.
- b. If any section, paragraph, subparagraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subparagraph, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

Section 5. Effective Date

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

UPON MOTION of Councilperson Foley, seconded by Councilperson Morris, carried, that the said Ordinance be and the same is hereby adopted on first reading, directing the Clerk to post and publish as required as law and setting the date for the public hearing as December 10, 2014.

Recorded Vote:

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

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

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

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

Section 1. Article 21-4.4(d), Construction of Driveways in Crescent Park, Permit, is hereby amended and supplemented as follows:

The non-refundable fee for such an application shall be in the sum of two hundred (\$200) dollars for zoning review of said application and shall accompany the application on the filing thereof. An escrow deposit of five hundred (\$500) dollars shall also accompany the application on the filing thereof for the necessary engineering review of said application, the unused balance of which shall be refunded to the property owner after all such charges have been satisfied.

Section 2. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed, but only to the extent of such inconsistency.

Section 3. This Ordinance shall take effect twenty (20) days after adoption and final publication as required by law.

UPON MOTION of Councilperson Foley, seconded by Councilperson Buonocore, carried, that the said Ordinance be and the same is hereby adopted on first reading, directing the Clerk to post and publish as required as law and setting the date for the public hearing as December 10, 2014.

Recorded Vote:

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

e. **Ordinance No. 24-2014:** The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 24-2014
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER IV,
LICENSING AND BUSINESS REGULATIONS, ARTICLE 4-1.4(a), HOURS PERMITTED;
AREA PROHIBITED AND ARTICLE 4-2.6, HOURS OF SOLICITING AND CANVASSING,
OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT

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

Section 1. Article 4-2.6, Hours of Soliciting and Canvassing, is hereby revised and supplemented as follows:

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No person shall solicit or distribute circulars or other materials or call from house to house for any purpose except between the hours of 10:00 AM to 5:30 PM, inclusive; applicants shall be limited to a maximum of six (6) licenses per calendar year per applicant or organization.

Section 2. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed, but only to the extent of such inconsistency.

Section 3. This Ordinance shall take effect twenty (20) days after adoption and final publication as required by law.

UPON MOTION of Council President Fetzer, seconded by Councilperson Mulroy, carried, that the said Ordinance be and the same is hereby adopted on first reading, directing the Clerk to post and publish as required as law and setting the date for the public hearing as December 10, 2014.

Recorded Vote:

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

B. Resolution 214-2014: Authorize Interlocal Services Agreement with the Borough of Brielle permitting shared use of equipment as needed with their various Departments pursuant to *N.J.S.A. 40:8A-1*, et seq.

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

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

WHEREAS, the Chief Financial Officer has determined that certain 2014 appropriations of the Borough of Sea Girt require additional funds while other appropriations have an available balance not needed for its original purposes.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that the following appropriations transfers as listed on the attached schedule be and the same are hereby approved.

Recorded Vote:

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

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C. Resolution 215-2014: Authorize Addendum to Interlocal Services Agreement between the Boroughs of Brielle, Manasquan and Sea Girt regarding the Joint Use of a Combination Sewer Set and Catch Basin Cleaner pursuant to *N.J.S.A. 40:8A-1, et seq.*

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

WHEREAS, on December 5, 2005, the Borough of Sea Girt entered into an Interlocal Services Agreement with the Boroughs of Brielle and Manasquan for the joint use of a combination sewer jet and catch basin cleaner; and,

WHEREAS, the current Agreement terminates on December 31, 2014; and,

WHEREAS, the Borough of Sea Girt is desirous of entering an addendum to the Interlocal Services Agreement between the Boroughs of Brielle, Manasquan and Sea Girt to extend the term of the Agreement.

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

1. The Mayor and Municipal Clerk are hereby authorized and directed to execute an Addendum to the Interlocal Services Agreement.
2. A copy of the proposed Addendum is attached and made part of this Resolution.
3. The Addendum shall be in effect for a five (5) year period commencing January 1, 2015 and terminating on December 31, 2019.
4. A certified copy of this Resolution shall be sent to:

Mr. Thomas Nolan, Clerk-Administrator
 Borough of Brielle
 P.O. Box 445
 Brielle, NJ 08730

Ms. Barbara Ilaria, RMC
 Municipal Clerk
 Borough of Manasquan
 201 East Main Street
 Manasquan, NJ 0836

Recorded Vote:

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

D. Resolution 216-2014: Beach Concession Operation, 2015 (with two option years): One bid was received on October 10, 2014; submission of required bid documents was complete; documents were reviewed for compliance with Bid Specifications and approved by both the QPA and Borough Attorney.

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

WHEREAS, the Borough of Sea Girt advertised for bidders to operate the Boardwalk Concession at the Sea Girt Beach on September 12, 2014, with the receipt of bids scheduled for October 10, 2014 for the 2015 season, with option years 2016 and 2017; and,

WHEREAS, one bid was submitted by the date and time specified from S.D. Winters, LLC, Spring Lake Heights, New Jersey, in the amount of \$78,951.00 for the 2015 season; and,

WHEREAS, the bid documents were reviewed by the QPA and Borough Attorney and found to be in compliance with the Bid Specifications and the Local Public Contracts Law, *N.J.S.A. 40A:11-1*, et seq.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt that the bid of S.D. Winters, LLC be and the same is hereby accepted to operate the Boardwalk Concession at the Sea Girt Beach for the 2015 season, with option years 2016 and 2017 at the bid price of \$78,951.00.

BE IT FURTHER RESOLVED that, pursuant to the Bid Specifications, the lease to operate the Boardwalk Concession shall be executed by the principals of S.D. Winters, LLC within twenty-one (21) days of the date of this award and returned to the Municipal Clerk with the required security deposit of \$7,500.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk be and they are hereby authorized to execute the lease document pursuant to the Bid Specifications.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to S.D. Winters, LLC.

Recorded Vote:

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

E. Resolution 217-2014: Authorize signatories, Borough accounts (F. Ken Farrell, Lorraine P. Carafa, Karen Brisben, Joseph V. Zanna)

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

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

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Lorraine P. Carafa
 Karen Brisben
 F. Ken Farrell
 Joseph Zanna

BE IT FURTHER RESOLVED that the signature cards with the signatures of the persons authorized to sign be forwarded to the Borough’s authorized depositories, including but not limited to TD Bank and Ocean First Bank.

BE IT FURTHER RESOLVED that wire transfers, when necessary, may be authorized by any two of the above-named officials or Jane Hunnewell and one of the above-named officials.

Recorded Vote:

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

f. Resolution 218--2014: C.159, Body Armor grant of \$1,427.86 (insert item of revenue and expense into the 2014 Municipal Budget)

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

WHEREAS, N.J.S. 40A:4-87 provides that that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and,

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Girt in the County of Monmouth, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$1,427.86 which is now available from the State of New Jersey, Division of Criminal Justice, Body Armor Grant in the same amount.

BE IT FURTHER RESOLVED that the like sum of \$1,427.86 is hereby appropriated under the caption Body Armor Fund; and,

BE IT FURTHER RESOLVED that above is the result of funds from the State of New Jersey Division of Criminal Justice, Body Armor Fund in the amount of \$1,427.86.

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Recorded Vote:

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

F. Resolution 219--2014: Improvements to Stockton Blvd., Change Order #1, Fernandes Construction, Inc., net increase of \$18,497 (7.53%) to a new contract total of \$264,826

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

WHEREAS, the Borough Council authorized and awarded a contract to Fernandes Construction, Inc., South River, NJ, on August 7, 2014 for the Project known as Improvements to Stockton Boulevard in the amount of \$245,630.00; and,

WHEREAS, field conditions discovered during construction required additional labor and materials to repair that were not known at the time of the preparation of the Project’s plans and specifications and resulted in an increase in labor and material by the amount of \$22,517.00 in the Project cost and a quantity decrease of material cost of \$4,020.00, representing a net increase of \$18,497.00 or 7.53%, to a new contract total of \$264,127.00; and,

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that Change Order No. 1 as referenced above totaling a net increase of \$18,497.00 as an amendment to the contract between Fernandes Construction, Inc., South River, NJ and the Borough of Sea Girt for the Project known as Improvements to Stockton Boulevard be and the same is hereby approved

Recorded Vote:

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

G. Resolution 220-2014: approve Appropriations Transfers

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

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

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WHEREAS, the Chief Financial Officer has determined that certain 2014 appropriations of the Borough of Sea Girt require additional funds while other appropriations have an available balance not needed for its original purposes.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that the following appropriations transfers as listed on the attached schedule be and the same are hereby approved.

Recorded Vote:

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

H. Resolution 221--2014: Authorizing the undertaking of a continuing disclosure review and authorizing participation if the Municipalities Continuing Disclosure Cooperation Initiative of the Division of Enforcement of the US Securities and Exchange Commission (Third party disclosure dissemination agent: N&W Financial, \$750 cost for initial filing, \$750 annually thereafter).

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

WHEREAS, the Borough of Sea Girt Borough Council (the “Governmental Entity”) has entered into continuing disclosure agreement(s) in connection with certain of its prior bond and/or note issuance(s) (the “Prior Issuances”), agreeing to file certain financial information and operating data and/or certain enumerated event notices with the former nationally recognized municipal securities information repositories or the Municipal Securities Rulemaking Board (the “MSRB”) pursuant to the provisions of Rule 15c2-12 of the Securities Exchange Act of 1934, as amended (the “Rule”); and

WHEREAS, the Governmental Entity has made certain representations regarding its continuing disclosures in bond and note offering documents in connection with its Prior Issuances; and

WHEREAS, in response to widespread concerns that many municipal issuers have not been complying with their obligations to file continuing disclosure documents under the Rule, and furthermore have made false representations concerning compliance in bond and note offering documents, the Division of Enforcement (the “Division”) of the U.S. Securities and Exchange Commission (the “Commission”) has set forth its Municipalities Continuing Disclosure Cooperation Initiative (the “MCDC Initiative”), attached hereto as Exhibit A, whereby the Commission will recommend favorable settlement terms to municipal issuers involved in the offer or sale of municipal securities, as well as underwriters of such offerings, if they self-report to the Division possible violations involving materially inaccurate statements in bond and note offering documents relating to prior compliance with continuing disclosure obligations pursuant to the Rule; and

WHEREAS, pursuant the Local Finance Notice 2014-9, attached hereto as Exhibit B, the Director of the Local Finance Board, in the Division of Local Government Services, New Jersey Department of Community Affairs, has recommended the undertaking of a Review (as hereinafter

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defined) by all municipal issuers and participation in the MCDC Initiative, where appropriate, as determined by the facts of each Review (the “LFB Recommendation”);

NOW, THEREFORE, IN CONNECTION WITH THE LFB RECOMMENDATION, BE IT RESOLVED BY THE GOVERNMENTAL ENTITY, as follows:

Section 1. The Governmental Entity, through its Administrator, Chief Financial Officer or Treasurer, as applicable (the “Governmental Entity Officer”), or through the engagement of a third-party disclosure-dissemination agent, is hereby directed to conduct a continuing disclosure review of its prior continuing disclosure undertakings (the “Review”), and the Governmental Entity hereby ratifies any such previously conducted Review. Such Review shall include, but is not limited to, a historical review of the Governmental Entity’s continuing disclosure obligations and filings in connection with its Prior Issuances that are presently outstanding and which are no longer outstanding but, as of the date five years prior to the date of submission of the Questionnaire (as hereinafter defined), were outstanding; and the undertaking, at any time, of any applicable remedial filings with the MSRB deemed necessary for compliance with its continuing disclosure obligations. The Governmental Entity Officer is hereby authorized and directed, if necessary, to appoint and engage a third-party disclosure-dissemination agent and any fees and costs associated with such third-party disclosure-dissemination agent are hereby approved or ratified and confirmed.

Section 2. The Governmental Entity, through its Governmental Entity Officer, is hereby authorized to participate in the MCDC Initiative, if in the discretion of the Governmental Entity Officer after consultation with Governmental Entity officials, it is determined that the Governmental Entity may have made materially inaccurate statements in its bond and note offering documents relating to prior compliance with continuing disclosure obligations pursuant to the Rule in connection with its Prior Issuances issued during the period beginning five years prior to the date of submission of the Questionnaire.

Section 3. The Governmental Entity Officer of the Governmental Entity is hereby authorized to execute and deliver any and all documents and instruments, including the Municipalities Continuing Disclosure Cooperation Initiative Questionnaire for Self-Reporting Entities contained in the MCDC Initiative (the “Questionnaire”), and to do and cause to be done any and all acts and things necessary or proper for participating in the MCDC Initiative and all related transactions, including the Review, contemplated by this resolution.

Section 4. All resolutions or proceedings, or parts thereof, in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed.

Section 5. This resolution shall take effect immediately or in accordance with applicable law.

Recorded Vote:

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

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

8. ADMINISTRATOR REPORTS/DISCUSSION MATTERS

- **Elevated Water Storage Tank Rehabilitation** – The project has been a bit delayed through this week, but it is anticipated to be back on track within the week. The emptying of the tank will be completed by early next week with interior repairs to follow. Exterior sandblasting will begin when the interior repairs are completed. We apologize for any inconvenience that this may cause to residents – thank you for your patience.
- **Baltimore Blvd. and Neptune Place Outfall and other Drainage issues** –Funding for the extension of the outfalls and infrastructure improvements to address drainage issues along First Avenue has been approved through the NJEIT Sail Program. All the required information has been submitted to date, and we are on track for an expedited review of the plans and specifications as soon as they are completed. We have also advised our NJEIT contacts that the Borough will pursue an expedited timeline to complete the project as soon as possible.
- **Traffic Study – Beach Area:** meeting to discuss the draft report and its recommendations was held on Wednesday, October 15; final report with recommendations will be made available to Council members as soon as it is received;
- **Surplus Equipment Disposition:**
 - On-line sale was concluded on October 28; proceeds are in excess \$9,900.00.
- **FEMA** – Summary of Superstorm Sandy Claims/Reimbursements to date

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

Use of proceeds:	
Paydown of BAN/Emergency Note/Interest	\$1,546,806.00
Appropriated to 2012/2013 expenses not covered by BAN/Emergency Note	158,609.53
Appropriated in 2013 budget per State (to fund Emergency Authorization)	140,000.00
Appropriated in 2014 budget per State (to fund Emergency Authorization)	219,610.00

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Balance of FEMA funds received 2014	18,895.47
Total	<u>\$2,083,921.90</u>
Remaining Sandy debt:	
Outstanding BAN to be liquidated in 2015 (principal/interest)	\$ 125,869.50
Outstanding Emergency Note to be liquidated on November 28,2014	297,818.00

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

Councilperson Mulroy commented that numerous residents are objecting to police vehicles on the beach enforcing the Dogs on the Beach Ordinance. Sea Girt tends to be known as the “rules town” and “no fun” town and he questioned if this is the best use of our Police Department’s resources. Councilperson Foley noted he has been approached with the same questions. Chief Davenport responded that the police are on site to protect the dunes from people and dogs, since there are many instances of people ignoring the “Stay off the dunes” signs. Police are trying to educate the residents on protecting the dunes. Councilperson Morris stressed how important the dunes are to the beach and that the Police are there to protect our asset. Councilperson Morris also received complaints from residents about people walking their dogs off-leash. Councilperson Cerami commented the Police Department has done an excellent job patrolling our beach for the last 100 years without the gaiter and heavy equipment and suggested that we send it all back. Mayor Farrell commented that there is no additional staffing or major expense involved and feels the Ordinance would be difficult to rescind. Council President Fetzer does not feel the need to change Ordinance and he feels the Police use their best discretion. He noted that our current DEP agreement expires in 2015 and he wants to continue to act in good faith before the discussions on the agreement renewal commence.

9. QPA REPORTS – No activity since our last meeting

10. COUNCIL REPORTS

Councilpersons Foley, Buonocore and Cerami had no reports.

Councilperson Morris reported as follows:

- Reminded residents to lock the doors at your home and vehicles;
- Beware of holidays scammers, use caution;
- Read helpful hints from “Chief’s report”
- Nov 23-24th there will be an on-site assessment for Police accreditation renewal which allows us greater accountability, etc;
- Reminder to residents to please complete and return Library survey.

Councilperson Mulroy reported as follows:

- Thanked Surfrider Foundation for their donation of beach grass and plants and noted that the event was spearheaded by Christine Bell and John Weber;

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- Congratulated Chief Willms and his wife on the arrival of their new baby girl.

Council President Fetzer reported as follows:

- Teamster negotiating session postponed and will be rescheduled;
- Water tank empty now and Fire and Water Departments are aware;
- Chief Willms received a \$300 grant for Fire Department;
- Excited to be going forward with renewal of accreditation.

Mayor Farrell reported as follows:

- Development Ordinance Review Committee met and is focusing on drainage issues in town and he applauded the committee for their work;
- The Terrace rehabilitation feedback has been 100% in favor of maintain the road unpaved; drainage needs to be addressed in 2015;
- Thanked Surfrider Foundation for their generous donation and support for Sea Girt Beach, volunteers commented Sea Girt is an exceptional beach and safest;
- Thanked all volunteers and plan to plant more.

11. Resolution 222-2014: Payment of bills

BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt that bills be paid as appearing on the attached Bill Lists dated November 7, 2014 in the totals as follows:

CURRENT FUND	\$ 1,858,265.92
WATER/SEWER OPERATING FUND	\$ 10,782.61
BEACH OPERATING FUND	\$ 31,614.74
TRUST FUND	\$ 8,671.00
RECREATION TRUST	\$ 120.86
UNEMPLOYMENT TRUST	\$ 10,565.00
GENERAL CAPITAL	\$ 160,031.66
BEACH CAPITAL	\$ 1,792.96
WATER CAPITAL	\$ 116,784.00

Recorded Vote:

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

*Council President Fetzer abstained with respect to authorizing the payment to Hatch Mott MacDonald.

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

Mr. Cavallo, The Terrace, is against repaving; best solution is to rehab existing road.

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John O’Grady, The Terrace, concurs with leaving road as is.

Pat Raffeto, Trenton Blvd., questioned enforcement of leashed dog ordinance. She asked when the unsightly large logs near Philadelphia Blvd. will be removed. She also asked about additional patrol on south side in the evening and noted lights are frequently out along the boardwalk. The Chief noted that a report is made weekly to JCP & L.

Robert Kregg, questioned a resident parking his jet ski’s in driveway which is in violation of our ordinance. He also asked that people be advised to keep dogs off boardwalk in compliance with ordinance. He also asked the town to notify residents when flushing of hydrants is being done.

There being no further comments, the public hearing was closed. **UPON MOTION**, of Councilperson Buonocore, seconded by Councilperson Morris, carried, that the following **Resolution No. 223--2014** 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 and pending litigation (Walker, Patock, and Sitar) and contract negotiations.
3. It is anticipated at this time that the subject matters will be made public, if and when, confidentiality is no longer necessary. Action may be taken upon return to public session.
4. This Resolution shall take effect immediately.

Recorded Vote:

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

There being no further business and **UPON MOTION** of Council President Fetzer, seconded by Councilperson Foley, carried, that the meeting be finally adjourned at 9:40 PM.

Lorraine P. Carafa, RMC
Municipal Clerk