

**MINUTES - REGULAR MEETING – DECEMBER 10, 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, December 10, 2014 at the Sea Girt Elementary School, Bell Place, Sea Girt. The Mayor asked for a moment of silence to remember Jack Long, who was a longtime resident of Sea Girt whom raised he family here and will be sorely missed. He 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:**

	<b>Present</b>	<b>Absent</b>
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 CONSENT AGENDA ITEM:** There were no comments from the public.

**3. CONSENT AGENDA - Resolution 224--2014**

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

**WHEREAS**, the following persons have been admitted to membership in the Sea Girt Fire Company on December 4, 2014: Brandon M. Fetzer and James Kumpf and have submitted applications for membership in the New Jersey State Firemen’s Association.

**NOW, THEREFORE, BE IT RESOLVED** that the applications for membership in the New Jersey State Firemen’s Association for Brandon M. Fetzer and James Kumpf be and the same are hereby approved.

Recorded Vote:

	<b>AYES</b>	<b>NAYS</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Cerami	X			

**4. APPROVE MINUTES**

- **Resolution 225-2014:** November 12, 2014 Regular Meeting

The Clerk advised that within the Minutes, the headings for Ordinances 23-2014 and 24-2014 were transposed and will be corrected. **UPON MOTION** of Councilperson Mulroy, seconded by Council President Fetzer, carried, that the Minutes, as amended, of the Regular Meeting held November 12, 2014 be and the same are hereby approved.

Recorded Vote:

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Cerami	X			

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

Councilperson Mulroy asked about feedback on the revaluation process and the quick turnaround window. The Clerk replied that the Assessor has a very short time frame that he is working within and once the books are certified, a report will be issued to the Borough Council. Mayor Farrell commented that appointments with the revaluation firm are still available if you weren't able to make the appointment and cautioned of new deadlines to appeal. Council President Fetzer echoed the comments from Mayor and Councilperson Mulroy. Mayor Farrell noted that a detailed report is available which shows the breakdown of your home value.

**6. OLD BUSINESS**

1. **Ordinance No. 20-2014:** The Mayor to read the said Ordinance by Title and advise of its publication in its entirety in *The Asbury Park Press* on November 20, 2014 and that the Affidavit of Publication is on file in the Clerk's Office:

**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**

**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 Buonocore, seconded by Councilperson Mulroy, carried, and by consensus, the meeting was opened for comments on the said Ordinance only. There were no comments from the public present, and **UPON MOTION** of Councilperson Mulroy, seconded by Council President Fetzer, carried, and by consensus, the public hearing was closed.

**UPON MOTION** of Councilperson Morris, seconded by Councilperson Buonocore, carried, that the said Ordinance No. 20-2014 be adopted on final reading, directing the Clerk to post and publish as required by law.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Cerami	X			

**2. Ordinance No. 21-2014:** The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in the *Coast Star* on November 20, 2014 and that the Affidavit of Publication is on file in the Clerk’s office:

**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 existing fee schedules are hereby saved from repeal, continued in existence and hereby incorporated herein by reference.

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 Morris, carried, and by consensus, the meeting was opened for comments on the said Ordinance only. There were no

comments from the public present, and UPON MOTION of Councilperson Mulroy, seconded by Council President Fetzer, carried, and by consensus, the public hearing was closed.

**UPON MOTION** of Councilperson Buonocore, seconded by Councilperson Mulroy, carried, that the said Ordinance No. 21-2014 be adopted on final reading, directing the Clerk to post and publish as required by law.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Cerami	X			

**3. Ordinance No. 22-2014:** The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in the *Coast Star* on November 20, 2014 and that the Affidavit of Publication is on file in the Clerk’s office:

**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:

<b>DESCRIPTION OF IMPROVEMENT</b>	<b>ESTIMATED COST</b>
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 Mulroy, seconded by Councilperson Morris, carried, and by consensus, the meeting was opened for comments on the said Ordinance only. There were no comments from the public present, and **UPON MOTION** of Councilperson Morris, seconded by Councilperson Buonocore, carried, and by consensus, the public hearing was closed.

**UPON MOTION** of Councilperson Mulroy, seconded by Council President Fetzer, carried, that the said Ordinance No. 22-2014 be adopted on final reading, directing the Clerk to post and publish as required by law.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Cerami	X			

2. **Ordinance No. 23-2014:** The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in the *Coast Star* on November 20, 2014 and that the Affidavit of Publication is on file in the Clerk’s office:

**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 4-2.6, Hours of Soliciting and Canvassing,** is hereby revised and supplemented as follows:

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 Councilperson Buonocore, seconded by Councilperson Morris, carried, and by consensus, the meeting was opened for comments on the said Ordinance only. There were no comments from the public present, and **UPON MOTION** of Councilperson Buonocore, seconded by Councilperson Morris, carried, and by consensus, the public hearing was closed.

**UPON MOTION** of Councilperson Morris, seconded by Council President Buonocore, carried, that the said Ordinance No. 23-2014 be adopted on final reading, directing the Clerk to post and publish as required by law.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Cerami	X			

- Ordinance No. 24-2014:** The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in the *Coast Star* on November 20, 2014 and that the Affidavit of Publication is on file in the Clerk’s office:

**ORDINANCE NO. 24-2014**  
**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XXI,**  
**STREETS AND SIDEWALKS, ARTICLE 21-4.4(d), CONSTRUCTION OF**  
**DRIVEWAYS IN CRESCENT PARK, 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 Buonocore, seconded by Council President Fetzer, carried, and by consensus, the meeting was opened for comments on the said Ordinance only. There were no comments from the public present, and **UPON MOTION** of Council President Fetzer, seconded by Councilperson Mulroy, carried, and by consensus, the public hearing was closed.

**UPON MOTION** of Councilperson Morris, seconded by Council President Buonocore, carried, that the said Ordinance No. 24-2014 be adopted on final reading, directing the Clerk to post and publish as required by law.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Cerami	X			

**7. NEW BUSINESS**

**A. Resolution 226-2014:** Authorize non-fair and open contract with Robert W. Allison, CPA, RMA of Holman, Frenia, Allison, LLC for 2014 Audit Services (\$33,500)

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

**WHEREAS**, the Borough of Sea Girt wishes to acquire services of an Auditor to perform the required annual review of its financial statements and including other services as required, as a not-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5; and,

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

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

**WHEREAS**, Robert W. Allison, CPA, RMA of the firm Holman, Frenia, Allison, LLC has submitted a proposal dated November 2014 indicating he will provide said services and have provided a Business Entity Disclosure Certification which certifies that each has not made any reportable contribution to a political or candidate committee in the Borough of Sea Girt in the previous one year, and that the contract will prohibit each entity from making any reportable contribution through the term of the contract; and,

**WHEREAS**, with regards to Affirmative Action, incorporated into such agreement shall be the mandatory language of Section 5.3 of the regulations promulgated by the Treasurer of the State of New Jersey pursuant to P.L. 1975; and,

**WHEREAS**, the Chief Financial Officer has certified that funds will be provided for this purpose in the 2015 budget as adopted.

**NOW THEREFORE BE IT RESOLVED** that the Borough Council of the Borough of Sea Girt authorizes the Mayor and Municipal Clerk to enter into a contract with Robert W. Allison, CPA, RMA of the firm Holman, Frenia, Allison, LLC.

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be published in *The Coast Star* as required by law within ten (10) days of its passage.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Foley			x	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Cerami	X			

**B. Resolution 227--2014:** Authorize application to NJDEP for Flood Hazard Risk Reduction and Resiliency Grant Program

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

**WHEREAS**, the State of New Jersey, Department of Environmental Protection has notified all municipalities of the availability of funding under the Flood Hazard Risk Reduction and Resiliency Grant Program; and

**WHEREAS**, the Borough of Sea Girt is desirous of submitting an application under this program for the following purpose:

- Improvements to piping in Baltimore Boulevard and First Avenue along with storm drain outfall extensions for both Baltimore Boulevard and Neptune Place.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of Sea Girt, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

**FURTHER BE IT RESOLVED** that the Borough Engineer, and Municipal Administrator are hereby authorized to submit an electronic grant application to the New Jersey Department of Environmental Protection on behalf of the Borough of Sea Girt; and

**FURTHER BE IT RESOLVED** that the Mayor and Municipal Clerk be and they are hereby authorized to execute the grant agreement on behalf of the Borough of Sea Girt and that their signatures constitute acceptance of the terms and conditions of the grant agreement.

Recorded Vote:

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Cerami	X			

**C. Resolution 228-2014:** Appoint Class II SLEO recruits: Nicholas Irizarry, Edward Stilwell, Aaron Braun, Katelyn Kwiecinski and approve for attendance at Monmouth County Police Academy training class to begin in January 2015

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

**WHEREAS**, the Borough of Sea Girt Police Department is in need of the services of Class II Special Law Enforcement Officers to support its 2015 operations; and,

**WHEREAS**, the Borough’s existing Class I Special Law Enforcement Officers meet the criteria and are recommended for attendance in the Class II Special Law Enforcement Officer training at the Monmouth County Police Academy beginning in January 2015.

**NOW, THEREFORE, BE IT RESOLVED** that Nicholas Irizarry, Edward Stilwell, Aaron Braun and Katelyn Kwiecinski be appointed as a Class II Special Law Enforcement Officer for the Borough of Sea Girt, at the hourly rate of \$12.00 per hour upon successful completion of the Monmouth County Police Academy training class.

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

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 229-2014:** Approve refunds, Planning Board escrow fee balances

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

**WHEREAS**, the following persons posted escrow for Planning Board applications and are carrying a balance as stated below:

PROPERTY OWNER	BLOCK/LOT	LOCATION	BALANCE TO BE REFUNDED
Henry, Patricia	25, 6	900 First Avenue	\$3,052.00
Cullen, Nicholas and Mindy	20, 6.02	117 Brooklyn Blvd.	3,502.00
Perle, Adam and Jeanne	8, 12	800 First Avenue	2,323.00
Marx, William and Virginia	10, 16	509 Ocean Avenue	3,480.50
Walsifer, Nicholas and Kerri	76, 17	500 Crescent Parkway	3,420.50
Mayer, Paul and Leslie	34, 10	220 Crescent Parkway	4,530.00* Retaining \$2,500 for deed restriction review

and,

**WHEREAS**, all other related fees have been paid;

**NOW, THEREFORE, BE IT RESOLVED** that the balances as noted above, totaling \$20,308.00, be refunded to the Property Owner.

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

Recorded Vote:

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

**E. Resolution 230--2014:** Authorize \$350.00 rebate for bench naming rights program participants

Mayor Farrell commented that resident Marianne Schobel had advised us that Spring Lake received FEMA reimbursement for their bench replacements. Mayor Farrell noted he followed up with Mayor Naughton and FEMA and learned that Sea Girt was also eligible to claim this loss. Councilperson Morris thanked Administrator Carafa for her efforts in applying for the FEMA reimbursement.

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

**WHEREAS**, the Borough Council created a naming rights program for memorial benches to be restored to the Boardwalk after the original benches were destroyed as a result of Superstorm Sandy at the cost of \$700 per memorial bench, including the cost of the on-going maintenance program; and,

**WHEREAS**, the Borough was originally advised that the replacement of the memorial benches would not be eligible for reimbursement from FEMA and subsequently discovered that the replacement of the benches would be eligible for reimbursement; and,

**WHEREAS**, a claim for FEMA reimbursement was submitted and recently approved in the amount of \$27,813.00

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Girt that a rebate of \$350.00 per memorial bench be authorized to those individuals specified on the attached list who participated in the naming rights program.

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 231--2014:** Clerk-Administrator: Authorize carry-over of 2014 vacation (15 days); authorize payment for unused 2013 vacation (10 days - at 2013 daily rate - \$4,158.40)

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

**WHEREAS**, the Municipal Clerk-Administrator is eligible for fifteen (15) vacation days per year and pursuant to the provisions of the Borough of Sea Girt Personnel Policy and Manual, said time may not be carried over without the approval of the governing body; and,

**WHEREAS**, the Municipal Clerk-Administrator was only able to take a portion of the previously approved 2013 carried over vacation allotment during 2014 and none of the 2014 time to which she is entitled, and has requested payment for the remaining 2013 time at the 2013 rate and the carry-over of the 2014 vacation time to which she is entitled to 2015.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Girt that the request of the Municipal Clerk-Administrator to receive payment of \$4,158.40 for the remaining ten (10) days of 2013 vacation allotment at the 2013 rate and the carry-over the 2014 vacation allotment of fifteen (15) days 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 232-2014:** Appropriations Transfers

**UPON MOTION** of Council President Fetzer, seconded by Councilperson Mulroy, 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			

## 8. ADMINISTRATOR REPORTS/DISCUSSION MATTERS

- **Police Department Accreditation** – Congratulations to Chief Davenport and the officers of the Sea Girt Police Department who successfully completed the rigorous accreditation process in-house and have been recommended for renewal. This speaks to the professionalism and high standards of our Police Department that only 110 other Departments in the State have achieved.
- **Thank you** to our Washington Blvd. Decorations Sub-Committee: Marybeth Gregg, Lisa Foley, Rula Casey and Krislee Hall for their time and enthusiasm and choosing such a festive enhancement to our business district.
- **Interlocal Services Agreement with the County of Monmouth for Communications Shared Services** - The Borough has received the request to authorize the renewal of the Agreement that expires as of December 31, 2014. On behalf of the Borough, I have requested an extension until certain issues with the Communications Center in Freehold are fully resolved. The County has confirmed that service will continue uninterrupted until the Borough is fully satisfied.
- **Elevated Water Storage Tank Rehabilitation** – Update:
  - The interior surfaces are blasted and primed. There are a few areas on the interior that will require welding repairs as the extent of the steel deterioration was more advanced than what was indicated on the inspection report. We will know what the full extent of the necessary repairs after performing the exterior blasting on the underside of the tank this week. The contractor will provide a quote for the necessary repairs by early next week.
  - After the welding repairs (estimated as 2 days) early next week, the contractor will be able to complete the interior intermediate and finish coats. Even on colder days, the temperature on the interior has been fine, so completing the interior coating should not be an issue. I'll provide an update next week on the status of the interior system. The temperature typically impacts the curing time; however, with the outside temperatures being favorable and the heating system the contractor has on-site, it is not expected that the curing times will be adversely affected.
  - For the exterior, we have to continue to hope for good weather. The temperature conditions are currently fine, but the rain is not helping. Some of the exterior has been started but the Contractor hasn't been able to make as much progress as hoped due to the

weather. The next few days look better and I'll update you early next week on their progress.

- Regarding the logo that was requested, I am awaiting the pricing from the Contractor for this item. I requested a price for both a single logo and two logos (one on either side of the tank). I will forward this pricing when I receive it. We will need to know the Borough's preference for the location/orientation of the logo(s) on the tank.
- **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. The Borough is also requesting funding through the Flood Hazard Risk Reduction and Resiliency Grant Program. We have also advised our NJEIT contacts that the Borough will pursue an expedited timeline to complete the project as soon as possible; our Engineer is currently preparing the plans and specifications for submission to the NJEIT within the next two weeks. We have received verbal confirmation that the State will participated on a 75%/25% cost-sharing basis with a written State Aid agreement to be supplied before Christmas and we are also requesting County participation in the cost-sharing.
- **FEMA** – Reimbursements to date – since the November 12 meeting, the Borough has received another \$27,900 in reimbursement for the restoration of the memorial benches. As a result of this reimbursement, the Borough will be able to rebate \$350/bench to those persons who purchased bench naming rights, retaining \$45/bench/year for the maintenance of the benches. We have also liquidated the outstanding Emergency Note of \$297,818, leaving a balance of Sandy-related debt of only \$124,500. We have just received notification that we have been approved for an additional \$29,176. for the pavilion restoration, bringing our total to date to \$2,144,011.
- **Note for Council:** November 2015 meeting would be held on the 2<sup>nd</sup> Wednesday which falls on November 11 – Veterans' Day; school facility is available on either Tuesday, November 10 or Thursday, November 12 for the meeting. Please advise of your preferred alternate date.
- **Merry Christmas and Happy New Year** to all!

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

## 10. COUNCIL REPORTS

Councilpersons Buonocore and Cerami had no reports.

Councilperson Morris reported as follows:

- Report on Parker House escrow analysis: approximately \$59,952 charged to the escrow, leaving a balance \$1,048 to be refunded; Parker House management have also agreed to pay \$4,000 for Class II training specials;
- Congratulations to Chief Davenport on their accreditation. Thank you to John DeMillio who worked hard all year on the accreditation process;
- Code and Zoning Enforcement Officer confirmed that the jet skis at the Seaside Place home is in compliance;

- Suggested a draft Ordinance prohibiting storage of any mechanical equipment outside to include boats, trailers, etc. Council agreed by consensus to have the Clerk prepare the draft Ordinance.

Councilperson Mulroy reported as follows:

- Thanked the Fire Department volunteers for their service. He noted the volunteers are stretched thin and that the Borough appreciates all they do; he also noted that the Fire Department would welcome new volunteers;
- Thanked Chief Willms for his efforts applying for a FEMA grants;
- Also thanked Councilperson Cerami for his service to the Borough;
- Wished everyone a Happy New Year.

Council President Fetzer reported as follows:

- Thanked Chief Davenport and the members of the Department for the excellent work in achieving the renewal of the Department's accreditation and noted that the initial process was conducted by a third-party at significant cost to the Borough and the renewal is welcome news;
- Thanked Councilperson Cerami for his service;
- With regard to the water tank rehabilitation project, he noted that there was low water pressure issue two weeks ago that was resolved quickly and noted that in the interim, the Borough will be purchasing additional water from the water supply authority and that painting will resume when the weather permits

Mayor Farrell reported as follows:

- Thanked Councilperson Cerami for his service and wished him well;
- Thursday is JIF risk management seminar at the Wall Township Municipal Building; each member of Council who participates generates a \$250 credit to our insurance premium;
- Public Works struggled a bit to keep up with the leaves, due to the inclement weather and that one leaf vacuum has been damaged; he thanked the residents for their patience as we the Department catches up.
- DWP has been doing a great job of keeping outfall pipes open;
- Thanked John DeMillio for his efforts to prepare us for this arduous task of achieving the renewal of the Police Department's accreditation.
- Outfall pipes – had several conference calls regarding this project; ACoE will be inspecting our beach on Thursday; Bill Dixon, DEP, is helping expedite the required permits; the plan is to have the specifications ready by January and receive bids in February;
- Meeting with Freeholder Arnone who promised to assist with expediting the process to resolve Sea Girt Ave flooding. He (Mayor Farrell) asked for a substantial contribution from County and the counter was the offer to provide services in lieu of a cash contribution;
- SMRSA Report – received Governor's Excellence Award for Innovative Technology for Sea Girt Pump Station. Also advised that "pervious" asphalt is now available and grant funds are available for incorporating its use in road projects; Council President Fetzer supports the use of this asphalt;
- Thanked all the employees, Council members, volunteers, Fire Department, Decoration Committee, Mike D'Altrui and the 5K Committee as well as the Lighthouse Committee for their efforts on behalf of the Borough and its residents and he wished everyone a Merry Christmas and Happy New Year.

**11. Resolution 233-2014:** 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 December 1 and 4, 2014 in the totals as follows:

CURRENT FUND	\$ 462,333.83
WATER/SEWER OPERATING FUND	\$ 83,114.95
BEACH OPERATING FUND	\$ 3,745.25
TRUST FUND	\$ 20,605.96
RECREATION TRUST	\$ 6,221.84
GENERAL CAPITAL	\$ 75,755.39
BEACH CAPITAL	\$ 8,033.00
WATER CAPITAL	\$ 527,754.26

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
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)

Don Laws, Stockton Blvd., congratulated Chief Davenport and the Police Department on achieving accreditation and for doing a great job. Also thanked Council staff for doing such a good job.

John Guinco, Attorney for Mr. Walker believes there has been a misunderstanding with regard to the contracts. He presented signed contracts and a deposit for consideration by Council.

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. 234--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:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Cerami	X			

The Clerk noted that the following matters had been discussed in Executive Session and that Council will take action as follows:

**Resolution 235-2014:** UPON MOTION of Councilperson Buonocore, seconded by Council President Fetzer, carried, that the Borough Attorney is hereby authorized and directed to seek a settlement with Patock Construction, Inc. within the terms just discussed during the Executive Session.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Cerami	X			

**Resolution 236-2014:** UPON MOTION of Councilperson Buonocore, seconded by Councilperson Cerami, carried, that the Borough Attorney is hereby authorized and directed to review the contracts supplied by John Guinco, Esq. this evening with respect to the Walker matter and to report back to Council at the January meeting.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Foley			X	
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Cerami	X			

**Resolution 237-2014: UPON MOTION** of Council President Fetzer, seconded by Councilperson Morris, carried, that the following Resolution be and the same is hereby adopted:

**WHEREAS**, the Borough of Sea Girt (hereinafter referred to as “Borough”) is a public employer within the meaning of the New Jersey Public Act; and,

**WHEREAS**, Teamsters Local 97 (hereinafter referred to as “Union”) is duly recognized labor organization under the Public Employment Relations Act; and,

**WHEREAS**, the Borough and the Union are parties to a collective bargaining agreement which expired on December 31, 2013; and,

**WHEREAS**; the Borough and Union have engaged in good faith collective bargaining; and,

**WHEREAS**, the Borough and the Union amicably reached an agreement; and,

**NOW, THEREFORE, BE IT RESOLVED THAT** the Borough hereby ratifies the attached agreement subject to the approval by the Local’s members not later than December 17, 2014 and final review by the Borough’s Labor Counsel.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
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 Buonocore, carried, that the meeting be finally adjourned at 9:35 PM.

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Lorraine P. Carafa, RMC  
Municipal Clerk