

MINUTES - REGULAR MEETING – OCTOBER 22, 2014

BOROUGH COUNCIL, BOROUGH OF SEA GIRT

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. PRESENTATIONS

Mayor Farrell introduced Michael Matthews whom presented a donation from the 2014 5K Race in the amount of \$28,337.00. Mr. Matthews credited Mike D’Altrui for orchestrating event. He also thanked the Mayor, Council, DPW and Police for their assistance before, during and after the race. Mayor Farrell also thanked Mr. Matthews for volunteering as Chairperson of the Shade Tree Commission.

Sea Girt Chamber of Commerce Halloween Poster Contest awards: Mr. Richard Aljian, Member of the Chamber of Commerce presented the awards. He thanked those involved with the contest. He stated that all the entries were very good and it was hard to decide on the winners and thanked the sponsors for their support including Marriott Callahan & Blair Counselors, Manasquan Savings Bank, Dreyer Custom Homes, Renee Hayward, Diane Turton Realtors, John Kelly, Linda Romano, Marie Muhler, Fratello’s, Conover Beyer Associate and Ray’s Cafe. He thanked the staff at the school including Mrs. Seeley, Mrs. Welsh, and Justin Hall, and the Art Instructor for their participation as well. He reminded the participants that you do not always win, this is a lesson to learn, and to come back next year and try to win. The Chamber of Commerce also sponsors the Annual Egg Nog Party, New Year’s Day, Beach Safety Day, and Manasquan High School Academy of Finance. Mayor Farrell assisted in presenting the awards.

K & 1st Grade Category

- First Place – Michael Bersalona - Grade 1
- Second Place – Millicent DiFeo - Grade 1
- Third Place – Luke Barry - Grade K

2nd & 3rd Grade Category

- First Place – Chloe Strang-Wolft - Grade 3
- Second Place – Brooke Loughlin - Grade 2
- Third Place - Matthew Schnurr - Grade 2

4th & 5th Grade Category

- First Place – Marielle Bersalona - Grade 4
- Second Place – Angelina D’Altrui - Grade 5
- Third Place – Casey Prior - Grade 4

6th, 7th & 8th Grade Category

- First Place – Lauren Tarigo - Grade 7
- Second Place - Erin Lucid - Grade 7
- Third Place – Kiera Higgins - Grade 6

Best overall poster – Laura Tarigo - Grade 7

Most original poster – Ana Kavtaradze - Grade 7

Mayor Farrell congratulated all the winners.

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

Resolution 203.1-2014: Resolution Urging Governor and Legislature to Recognize and Preserve Strength of Local Pension funding when Considering the Recommendations of Governor Christie’s Pension and Health Benefit Study Commission

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

WHEREAS, State actuaries confirm that the bipartisan pension and benefit reforms that were enacted in 2010 and 2011, coupled with the consistent pension payments made by responsible local governing bodies, are delivering the savings that had been promised by their advocates; and,

WHEREAS, when analyzing the fiscal health of public employee pension and benefit systems, the experts make a distinction between local commitments for local employees and retirees, and the commitments that are the State government’s responsibility; and,

WHEREAS, according to the latest valuation reports, the local government Public Employees Retirement System (local PERS) and the local Police and Fire Retirement System (local PFRS) are actuarially sound, in large part due to the fact that municipalities and counties have made full employer contributions as required under the law for over a decade, with local PERS currently funded (comparing assets to liabilities) at 73.9% and local PFRS is currently funded at 76.9%, according to the experts; and,

WHEREAS, the State PERS, on the other hand, is currently funded at 48.1%, and State PFRS is a little better, at 50.8%; and,

Resolution 203.1-2014 (continued)

WHEREAS, the Officers of the League of Municipalities have submitted a statement to Governor Christie’s Pension and Health Benefit Study Commission, urging that the Final Report and Recommendations of that Study Commission not, in any way, weaken the vitality of the local pension plans.

NOW, THEREFORE BE IT RESOLVED, that the governing body of the Borough of Sea Girt urges State policy-makers to recognize and protect the strength of the local PERS and local PFRS systems, and reject any recommendations that would threaten municipal budgets and property taxpayers.

BE IT FURTHER,RESOLVED, that, while we recognize the State’s budget problems and we are anxious to help in any way we can, we cannot help in any way that shifts new burdens to our property taxpayers and our dedicated public servants.

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to Governor Chris Christie, State Treasurer Andrew Sidamon-Eristoff, our State Senator Robert Singer, our two representatives in the General Assembly Sean Kean and David Rible and to the New Jersey League of Municipalities.

Resolution 203.2-2014: Resolution to Implement a Halloween Curfew

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

WHEREAS, the Borough Council of the Borough of Sea Girt feels it would be in the best interest of the citizens of the Borough of Sea Girt to enact a curfew for the evenings of October 30th and 31st, 2014.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth that a curfew be enacted beginning at 8:00 pm on October 30th through 7:00 am on October 31, inclusive and beginning at 9:00 pm on October 31 through 7:00 am on November 1, inclusive, for all children under the age of 17, unless accompanied by an adult.

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. APPROVE MINUTES

- **Resolution 204-2014:** September 24, 2014 Regular Meeting

UPON MOTION of Councilperson Foley, seconded by Councilperson Buonocore, carried, that the Minutes of the Regular Meeting held October 22, 2014 be and the same are hereby adopted as presented.

Resolution 204-2014 (continued)

Recorded Vote:

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

- **Resolution 205-2014:** October 8, 2014 Regular Meeting

UPON MOTION of Council President Fetzer, seconded by Councilperson Mulroy, carried, that the Minutes of the Regular Meeting held October 22, 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			

6. OPEN DISCUSSION

Mayor Farrell noted that the dune grass planting last weekend was successful. He thanked all the volunteers who helped particularly Lynn Drury, Lora and Shawn Mulligan. Mayor Farrell stated that 8-9 thousand plants were planted. Plants were donated with anonymous funds and it is very much appreciated. Mayor Farrell also thanked DPW staff for their work in building the dunes and keeping the outfall pipes open.

Councilperson Mulroy noted that he was very appreciative of everyone's help and for their participation in the project and noted that it appeared to be a very enjoyable day for those who were there.

Council President Fetzer asked the Council to reconsider delaying in funding the outfall extensions; concerned each day could create potential damages.

Mayor Farrell announced that the Borough has received approval for NJEIT funding of both the outfall extension and drainage improvements pursuant to the application that was filed on October 10; he further explained the funding of projects: financing 75% at 0% interest; 25% market rate, currently at 14 basis points, and noted that we are coordinating the necessary drainage improvements along First Avenue with the County and requesting their participation in a cost-sharing arrangement, along Baltimore Blvd. with the extension of the outfalls with the DEP, and the DEP will help us to expedite the process for obtaining the necessary permits, all funding through the NJEIT as noted

7. **OLD BUSINESS: None**

8. **NEW BUSINESS**

- A. **Resolution 206-2014:** Interlocal Service Agreement Made Pursuant to The Provisions of *N.J.S.A.* 40:8A-1, et seq. between the Boroughs of Brielle and Sea Girt, Monmouth County, New Jersey to provide for the joint use of Block 12, Lot 1, in the Borough of Brielle as the designated location for Emergency Debris Removal.

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

WHEREAS, the Boroughs of Brielle and Sea Girt are Municipal Corporations of the State of New Jersey (individually the "municipality"; collectively the "municipalities"); and,

WHEREAS, the Boroughs of Brielle, and Sea Girt wish to enter into an agreement pursuant to the provisions of *N.J.S.A.* 40:8A-1, et seq., to provide for a location for joint use in the event of a declared emergency in the County of Monmouth for the purposes of stockpiling debris for eventual removal to a designated landfill.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that the Agreement between the Boroughs of Brielle and Sea Girt pursuant to *N.J.S.A.* 40:8A-1, et seq. for the purpose of designating Block 12, Lot 1 in the Borough of Brielle as the designated location for debris stockpiling and eventual removal to a designated landfill in the event of a declared emergency.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk be and they are hereby authorized to execute the Agreement for the above-stated purpose.

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 207-2014:** Resolution Authorizing Grant Application to NJDOT For Fiscal Year 2015

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

WHEREAS, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2015; and,

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

Resolution 207-2014 (continued)

- Improvements to the following roadways:
 1. Seaside Place (from 2nd Avenue to Beachfront)
 2. Neptune Place (from Sea Girt Avenue to 2nd Avenue)
 3. Morven Terrace (from Neptune Place to The Crescent)

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, Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2015-Seaside Place, Neptune Place and Mor-00460 to the New Jersey Department of Transportation on behalf of the Borough of Sea Girt; and

FURTHER BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign 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 and approves the execution of the grant agreement.

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. Resolution 208-2014:** Resolution Denying Refund of Planning Board Application Fee, Block 70, Lot 16 also known as 500 Brooklyn Blvd.

UPON MOTION of Councilperson Morris, seconded by Councilperson Buonocore, 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,

WHEREAS, 500 Brooklyn Boulevard, LLC subsequently requested withdrawal of his application and the refund of all fees, including the application fee of \$500.00; and,

WHEREAS, Borough Ordinances do not currently permit a refund of the application fee.

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 \$500.00 be and the same is hereby denied.

Resolution 208-2014 (continued)

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			

9. ADMINISTRATOR REPORTS/DISCUSSION MATTERS

a. Elevated Water Storage Tank Rehabilitation - contractor mobilized on October 13;

- The containment system is currently being installed. The contractor estimates that the scaffolding will be completed by the end of next week.
- The sand blasting operation is currently scheduled for the week of 10/27. This is dependent on the completion of the containment system.
- Equipment related to the sand blasting work will begin to arrive on site next week.
- The temporary hydropneumatic tank will be onsite sometime next week.
- The contractor has submitted most of the critical shop drawings and these have been reviewed and returned. There have been no significant concerns on the products submitted.

b. Baltimore Blvd. and Neptune Place Outfall and other Drainage issues – supplement to the Mayor’s report during Open Discussion: after concerted efforts by Mayor Farrell and the Borough Administrator, DEP has tentatively agreed to share the cost of the extension of the outfall pipes; the funding mechanism is still being discussed. The Borough has requested and DEP has preliminarily agreed that the Baltimore Blvd. drainage improvements as discussed at the last meeting also be included in the scope of work but this component of the project will be at the Borough’s expense. The Borough has submitted its application for funding through the NJEIT, which has several programs available at favorable rates.

c. 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 expected to be available on October 17, 2014. Residents can review the draft of the multi-jurisdictional plan for the county and its 53 municipalities by visiting www.monmouthsheriff.org, click on the OEM icon and select Hazard Mitigation Planning.

ADMINISTRATOR REPORTS/DISCUSSION (continued)

- d. **Phase II of the Borough’s Beach Grass Planting/Dune Restoration Project** was held on Saturday, October 18, 2014; approximately 70 volunteers participated and planted about 8,000 plants. The Council wishes to thank Lynn Drury and Lora and Shawn Mulligan for helping to organize the event and all the volunteers who participated.
- e. **Clean Ocean Action, Fall Beach Sweeps** will be held on Saturday, October 25, 2014 between 9:00 AM and Noon; recommended for all volunteers: wear hard-soled shoes, hats and sunscreen; bring gloves.
- f. **Best Practices 2014** – The Administrator reported that the Borough submitted the completed inventory by October 17 as required; a further requirement is that the results must be discussed at a public meeting. The Borough is required to obtain a score of 41 out of 50 to avoid the penalty (i.e., pro-rated reduction of state aid based upon the # of questions with responses of “yes, prospective or not applicable”). The Borough’s score is 43 out of 50, so we will receive 100% of our State Aid allocation for 2014.
- g. **Recreation News - Halloween Hayride at the Sea Girt Firehouse** will be held on Friday, October 24, 2014, 6:30 PM to 8:30 PM, first hayride is a non-scary version for younger children; parents must accompany children, please bring a snack or dessert for sharing, sponsored by Sea Girt Fire Dept. and HS Schwier Agency.
- h. **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;
- i. **Surplus Equipment Disposition:**
 - Bicycle Sale was held on Friday, October 17, 2014; 11 bicycles were sold for a total of \$295
 - All other equipment – on-line auction, USGovBid.com, beginning October 22, 2014 at 9:00 AM through October 28, 2014 at 6:00 PM. Inspections via on-line photos only.
- j. **SMMUA** – has created a Cooperative Purchasing Agreement for the purchase of meters and MXU’s at a favorable cost to the participating municipalities; after evaluation of the Borough’s water usage since the new Water Plant has been put into operation, a reduction of the Borough’s annual allocation was requested and has been preliminarily approved at a savings of approximately \$45,000 over prior year’s cost.
- k. **The Terrace (West of First Avenue):** Several residents have called to request that Council consider a major rehabilitation of The Terrace west of First Avenue in the 2015 Capital Program due to the condition of the gravel road. They have also requested that the Council survey the residents to determine if they would prefer to have the road paved.

10. **QPA REPORTS** (of activity since previous Council Meeting): One bid was received to operate the Beach Pavilion Concession for 2015 with the option to renew for 2016 and 2017, from SD Winters, LLC at the bid of \$78,951 (minimum bid requested: \$75,000); submitted documents are under review at this time.

11. **COUNCIL REPORTS**

Councilpersons Foley, Buonocore and Cerami had no reports.

Councilperson Morris reported as follows:

- Thanked Mrs. Matthews for her efforts on the Lighthouse challenge and noted that there was over 800 visitors during that weekend;
- Moonlight Lighthouse tour to return in December;
- Sarah's Garden project will start next week at Library.

Councilperson Mulroy reported as follows:

- Thanked everyone on staff for a safe and successful season and noted that the following items were discussed for possible implementation for 2014: online purchases of beach badges, dune education program with handouts; purchase of a new beach rake that can pick up the rocks; enhance beach traffic patterns; new mobi-mats to replace old; new handicapped-accessible beach wheelchairs; two have been donated; new signage will be installed;
- He noted that kayak lockers are not being utilized; suggested repurposing would require modification of their current configuration, and they could then be used for beach chair storage and surfboard storage as another option.

Council President Fetzer reported as follows:

- Negotiating Committee meets on October 29 at 8:15 am with Union representatives;
- SMMUA Cooperative Purchasing Agreement;
- Upgrade to direct read system;
- Plant operating well; also discussed operation in event of fire;
- Water allocation permit is due for renewal; stay with current allocation.

Mayor Farrell reported as follows:

- Requesting residents turn off their sprinklers and make sure they are working properly;
- Thanked Police Department, Officer Hagel and DPW for all their efforts;
- Paint choices need to be decided for water tower and a logo for the tank;
- Surfrider Foundation will conduct their own beach grass planting project on November 1, 2014;
- Councilperson Cerami questioned the recycling schedule during a 5th week; drop-off site requires material separation that is inconvenient for residents and he also noted that he would like to see weekly pick up. Mayor Farrell stated it is not practical to do weekly recycling and thanked residents for breaking down cardboard.

12. Resolution 209-2014: 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 October 17, 2014 in the totals as follows:

CURRENT FUND	\$ 608,015.73
WATER/SEWER OPERATING FUND	\$ 80,486.56
BEACH OPERATING FUND	\$ 454.77
TRUST FUND	\$ 325.00
RECREATION TRUST	\$ 1,449.00
DOG TRUST	\$ 1.20
GENERAL CAPITAL	\$ 4,440.00
BEACH CAPITAL	\$ 13,675.37
WATER CAPITAL	\$ 9,591.61

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.

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

Mr. Petronko asked if the Borough has applied for CDBG grant funds for the purchase of mobi mats; he requested clarification of the type of material used in the County’s ribbed pipe located under First Avenue; he was advised that it is corrugated metal and he requested some further clarification on the on-going drainage issues and alternative solutions to outfall blockings

There being no further comments, the public hearing was closed. **UPON MOTION**, of Councilperson Foley, seconded by Councilperson Morris, carried, that the following **Resolution No. 210--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.

Resolution No. 210—2014 (continued)

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			

The Council returned to public session at 9:30 PM and the Clerk noted that the following matter was discussed in Executive Session and required action – Walker matter:

Resolution 211-2014: UPON MOTION of Councilperson Buonocore, seconded by Councilperson Morris, carried, that the following Resolution be adopted:

WHEREAS, a resident/landowner of the Borough permanently installed equipment on Borough property adjacent to his home including but not limited to pool and generator equipment; and,

WHEREAS, the Borough Attorney was previously directed to negotiate a mutually agreeable settlement of the matter that led to a draft agreement being submitted to the resident’s attorney during the summer of 2014 and since then, there have been intermittent discussions with no appreciable progress made to finally settle the matter.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that the Borough Attorney be directed to terminate all discussions between the resident/landowner and Borough officials, notifying the resident of the same and directing him to remove all equipment from Borough property within 45 days.

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		
Mayor Farrell	X			

There being no further business and **UPON MOTION** of Councilperson Buonocore, seconded by Councilperson Foley, carried, that the meeting be finally adjourned at 9:50 PM.

Lorraine P. Carafa, RMC
 Municipal Clerk