

**MINUTES - REGULAR MEETING  
AUGUST 6, 2014**

**BOROUGH COUNCIL, BOROUGH OF SEA GIRT**

The Regular Meeting of the Borough Council of the Borough of Sea Girt was held in the Sea Girt School on August 6, 2014 and called to order by Mayor Ken Farrell at 7:30 PM. The Clerk read the Compliance Statement: this meeting is called pursuant to the provisions of the Open Public Meetings Act, C. 231, P.L.1975: adequate notice of this meeting has been given by posting a notice on the Borough's official bulletin board and by transmitting a copy of the Notice to the Borough's two official newspapers, the *Asbury Park Press* and the *Coast Star* as required by law.

**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	

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

There were no comments from the public present.

**2. PRESENTATION** – by Mayor Farrell on behalf of Council to Frankie Kineavy, recognizing him on the occasion of his graduation from Villanova University.

Mayor Farrell added how proud he is of Frankie and enjoyed watching him grow-up. The entire community is also proud of his accomplishments. Frankie thanked the Council, community, elementary and High School staff including Sean McCarthy, and his family for their support and honoring his graduation and his successes.

**RESOLUTION No. 161-2014: ACKNOWLEDGING FRANKIE KINEAVY ON THE OCCASION OF HIS GRADUATION FROM VILLANOVA UNIVERSITY**

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

**WHEREAS**, Frank Kineavy, a proud resident of the Borough of Sea Girt, recently was awarded a Bachelor's Degree in General Studies from Villanova University, earning a GPA of 3.3 and graduated as a member of the Dean's List; and,

**WHEREAS**, Frankie was a crucial member of the University's basketball team management, completing game write-ups and conducting player evaluations, developing game strategies all while creating special relationships with the student athletes.

**WHEREAS**, Frankie has earned the respect and friendship of fellow students, coaches, instructors and neighbors for his diligence, larger than life personality and his love of people, and the passion he shows for helping to develop better athletes that also translates into helping people become better individuals.

**Resolution No. 161-2014** (continued)

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sea Girt hereby honors Frankie Kineavy, a dedicated, determined, hard-working, positive, creative and inspirational individual that Sea Girt is proud to claim as one of our own.

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			

**3. RESOLUTION No. 162-2014: APPOINTING CLASS II SPECIAL LAW ENFORCEMENT OFFICER FOR THE BOROUGH OF SEA GIRT – ZACHARY SHERMAN**

**UPON MOTION** of Councilman Morris, seconded by Councilman 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 a Class II Special Law Enforcement Officer to support its operations; and,

**WHEREAS**, applications have been received, reviewed and background checks conducted to identify qualified applicants for these positions.

**NOW, THEREFORE, BE IT RESOLVED** that Zachary Sherman 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.

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

The order of the Agenda changed at this time.

**4. APPROVE MINUTES**

- **Resolution No. 163-2014: UPON MOTION** of Council President Fetzer, seconded by Councilperson Foley, carried, that the Minutes of the Regular Meeting held July 9, 2014 be and the same are hereby adopted as presented.

**Resolution 163-2014** (continued)

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. PRESENTATION** – County Tax Assessor Matthew Clark presented information on the equalization process and the methodology used to calculate county taxes.

- Focus on amount of county taxes that is apportioned or assigned to Sea Girt
- Two hand- outs include laws and the numbers of Monmouth County
- The law says everybody pays for what they have according to according to value per the Constitution;
- String of statutory references that empowers the municipality; to raise taxation within that framework there is a statement saying the County Tax Administrator assigns the amount to be raised, the levy, on an annual basis amongst the member municipalities based on value; simplest terms meaning if a jurisdiction is worth 10% of the county , they get assigned 10% of the total levy approved by the voters, approved by Freeholders because we are focusing on the county levy; it is based on value and value only; it's not complicated logarithm, its one variable and from year to year is value; we have 53 municipalities, and my job for this process is to assign the proper amount per district;
- Equalization process in Sea Girt sums up why there has been a continued rise; it is proportional; it is all relative; relative to the total value of the county each year, Sea Girt represents a larger piece of the county pie, the total value. We are being assigned a larger piece of the county levy; there is no trick or magic in the process. When you look at the percentages from 2013 to 2014, the piece of the pie increases, percentage of a fixed levy coming from the Freeholders, they are not collecting additional money; they are collecting more money from Sea Girt. That's the summation of the apportionment process. Beyond that is futile because I started with the concept that it's constitutional; for that to be changed we would need a Constitutional Amendment. There has been discussion about changing this process about point of service. And the discussion the Mayor has brought up has merit, weight and it's a very logical argument. The argument is what we get more of from one year to the next. The answer is nothing. And the answer is that the analysis is how many county roads we have relative to others; how many buildings and parks. The answer is no, no, no. Along the lines for Sea Girt is no. But what we have is a framework that we have 53 members within this shared environment of Monmouth County. Based on the Law of the Land, it's assigned not on what you get from the County, but what value you play in the County. There is no sense other than if the body wanted to pass a resolution to disagree with the Constitution and begin the process of seeking an amendment to the Constitution, but from the practical side, which I always get myself in trouble here, you would likely have based on these numbers, 51 depending on the year, municipalities that wouldn't want you to change it because they want you to pay more. It's very simple. When we look at the voting body that would be interested or available to change this process, Sea Girt is continuing to accelerate; your rate of growth is exceeding what the average of the County is. You continue your value (note second document) is to simply show you the average value of a residence. The relative

**PRESENTATION** (continued)

- value within this jurisdiction is pulling away from the relative value of other jurisdictions. The return on the investment, theoretically, is at a greater rate than being experienced elsewhere in Monmouth. I don't know that you're going to find a lot of popularity to say we want to change it and add additional variables. We want to add in a component that identifies point of service—what we're getting from the County. How much of the County jail do we pull from, the community college, county infrastructure? If we try to quantify that it would be very interesting to do so; however, I don't know if it is productive and to up here the other 52 municipalities and say I can lay out the facts, and I can lay out my opinion (which is the dangerous part) but that part is my most important public service is to say that this is very much an uphill battle for you to change what is being experienced based on your rate of appreciation.
- Are there any questions from the Council or Public on what I just presented?
  - Councilperson Foley commented we were just re-evaluated. Looking at the ratio's, are we at the beginning of the process of the municipalities? Clark replied yes. Foley questioned the ratio on the paper 95.86%; Clark replied the ratio was from October 2013. Foley questioned why he wouldn't attack the lower percentages below 80%. Clark replied he is bringing in a couple different concepts. The reference to the re-evaluation process was ordered by the Board. There is an Administrative Code framework that gives me 10 criteria that most importantly are two: a co-efficient of deviation and an analysis of how tightly the assessments are clustered together and how fair it is within the town. Clark said frankly he doesn't care if everyone was at 50% in the town because there would still be fairness in the process. The reality is that we typically see over time after 10 years that the threshold is set at once you pass 10 years, the board has the ability to order and we have done so religiously at Monmouth County. Unlike many Counties, we have a state of procedure where we review annually the accuracy through the analytics of submissions of the assessor's office and we make a determination whether or not there is uniformity. If there is a lack of uniformity, we order the re-evaluation. It's not about the ratio itself that is why I made that point. Low ratios aren't offensive to me.
  - Councilperson Foley replied they may to him; some town's ratios are evaluated at 75% of their assessed value; we are evaluated at 96% so in terms of the overall piece of the pie, we get charged more. Clark replied there is an equalization process, so to take anyone who is at 50% we double them to convert them into apples and oranges to all apples before I perform the apportionment process. Any of these towns that are at disparate ratios the assessment vs the market value that's what we are talking about – the relationship. In the old model, we set the market value equal to the assessment (assessment equal market value 100%) and as time went on you didn't change, the law prohibited the assessor from making changes to the assessment but in a better world the market appreciated. So each year 2,3,4% so that 10 years down the road that that assessment which is static represents a fraction of its real market value. So for us to fairly assign the shared levies to municipalities we had to perform this task on an annual basis called equalization where we convert the assessments at different rates (percentages) up and down from 50% to 100%, from 125% down to 100% so that when we look at the equalized value of the county everyone is at 100%. Now it is very easy in my position to say a town is worth 10% of the overall value. There is no inequity or unfairness in the apportionment process because of the equalization. What is more problematic and why we created this new program is that within in that general number that is assignment of 95%, of 80%, is an acceptable range of lack of uniformity. Our goal is to absolutely fold that in so on an annual basis the taxpayers are paying much closer on average to exactly what they have. To do away with this fractional decimal world where we are saying the tax payer can

**PRESENTATION** (continued)

get their notification of assessment and see that their property is worth \$500K. They have a sense that it's worth \$800K. They don't appeal or question it. They think they are getting over on the government. When in reality they are being assessed at 50% so that they are really being assessed at \$1M and they are grossly overpaying their fair share. It's that whole game which is disingenuous and not fair to average taxpayer so we have blown it up and we created this new paradigm whereby everything is 100%. We have these honest discussions on what is your house worth this year and we will have the same discussion next year. What's it worth this year; there is no luggage carried from the prior years, no constraints on the assessment community based on all these assessments tools based on a model that is intended to have the assessment on an annual basis be as accurate as possible relative to what is being paid to upkeep that. We are creating very new sophisticated owned Monmouth County tools that we hope are going to set the new model for New Jersey so that many of the programs I'm associated with we will take this product born and bred from Monmouth and sell it to the rest of the state so that our revenue comes back to underwrite our fixed costs, underwrite our future taxation. We have several programs and that's what this is intended to do. We are not doing this solely because we could have created an island and taken care of Monmouth County but we have a much broader goal and that's to change the way the State is performing the assessment function. Why is that of concern? 1). We could get revenue from it and we get quite a bit a revenue from it, but more importantly, there are things going on in Trenton that are based on this equalized value process and it's my full expectation that unless we fix their numbers, they're going to be grossly getting too much aid, which will be a concern that they are getting too much value aid from Trenton we want to control how much money leaves Monmouth County and how much comes back. That is our ultimate goal because that is our biggest number in view. The target is lofty, we are truly in a fantastic place right now not from the perspective of apportionment in Sea Girt because that seems the Mayors knee-jerk reaction is that it seems unfair. I said it is being done with absolute precision relative to the law and the only way to change that is to change the law. Moving within that confine, what can we do? We can create as accurate model as possible and then to make money because we are smart enough to build a better ship to ride on. That is where right now in Monmouth County: we are half a year into a five-year program and because a handful of fundamental changes we made to municipalities whom in the past and this year alone we have saved \$6.8M that were lost to appeals, that normally would have been emergency bonding and shortfalls for the municipalities are now being collected with no exposure to the governing body toward the cost of emergency finance. All of these things add up to the significant numbers for Monmouth County.

- Mayor Farrell said to confirm a few things we went through here. The County has not changed the tax levy in three years appreciably, they basically rose through taxation \$3.2M and Gary Rich just told me the rates stayed flat. Matt Clark replied the levy remained flat. Through a Director's Ratio, if you looked at it, it says here the Director's Ratio went from 98.76 to 95.86 I think, over the last year. That's a 3% difference. If you use that Director's Ratio, that is your divisor into the original assessment of the town. The original assessment was a \$1,989,763,000 and that grosses up to \$2,084,000,000 \$2,075,000,000. I have gotten two different ratios. But the big things I'm interested in is as I look at our tax bills, and I see the tax rate change, how is the tax rate change calculated based on the Director's Ratio because our taxes are increasing more than 3%.
- Matt Clark replied there are two different processes. Step one is we go through the budgetary process and we determine how much needs to be raised at taxation. The next step is the County delivers that number to me and I apportion it as I just described

**PRESENTATION** (continued)

- based on value amongst the 53 players or the health program, or library, it's based on the number of participating municipalities. Once we apportioned it, then it's not about ratio anymore, it's not about equalized value, it's the rate for the County is simply that levy divided by the net value, column 6 from the abstract of ratables. The net value of the town will create your individual component tax rate. When you add up those county components and your school, and you're municipal, you end up with a general tax rate that you see on your tax bill. Boring stuff, I know. I can't make it any sexier. It is what it is. Once you're past your apportionment piece, it has nothing to do with the county process, the math to your general take rate has everything to do with the sum of the assessments. No more reference to the equalization, it's purely about some of your individual assessments in your town. That is self-contained process, and I will gladly send an explanation of that graphically, I wasn't sure you would want to see that but it has nothing to do with the county process, just straight forward math.
- Mayor Farrell said the County sends us the rates; Matt Clark said he certifies the rates; Mayor said the only thing we see is the Director's Ratio and that shows a difference of 3%, but the rate comes in this past year as 5%. Mayor asked Clark if he was saying that Sea Girt's land value in Sea Girt real estate is out-appreciating the aggregate in Monmouth County by 5% this year. Clark replied this list shows the appreciation from one year to the next the individual municipalities, and that the rate of appreciation, the value added from 2103 to 2014 in Sea Girt was a larger percentage than 52 other municipalities. Mayor stated that is what he is pointing out. If the County raises the same amount three years in a row, at least close is what Gary told me. Clark replied it's identical. Mayor said it's a zero sum game and that is why he asked if we are outpacing ourselves the average of the rest of the county.
  - Clark said he would be failing the room if he didn't convey that. It is a zero sum game, it is the same amount being raised, and it is just being raised more by you than in prior years because it is being based on the fact that your town is worth a larger piece of the total value of the County. To make it worse the value of the county has actually dropped and you're appreciating. Your percentage of the overall value in the county is growing faster. Not sure if that will stabilize. We have to layout similar municipalities like Deal and Spring Lake over a longer holding period to see if this is a natural ebb and flow of the growth of the shore communities. My expectation is it may wane a bit but your positioning within the County will remain (the entire shoreline) will remain more valuable than inland.
  - Mayor Farrell replied that is the point and it's a little alarming is the giant pace. We are lucky because everything is going up but the reason I have concern and the rest of this Council has to be concerned is that there are three towns in Monmouth County where the largest portion of their tax bill is the county tax. That includes Spring Lake, Deal and Sea Girt - 41 cents from every dollar in the tax bill goes to Monmouth County and in this State, the Governor put in a 2% cap excluding items such as debt service and pension payments. The biggest part of our tax bill goes up in excess of 5% every year and the 2% CAP from the Governor doesn't mean a hoot. Clark agreed saying the 2% was not meant to be to protect the individual taxpayer, it was a protection of the growth of a levy setting aside an exception, and those exceptions are significant. So that CAP is not the shielding that you would want it to be. Mayor Farrell replied he wasn't sure if there are districts in the County that have "E's" on the list for exemption, but the total aggregate of some large towns is \$1.1 billion and we are \$2 billion. They have 18,000 people there. Wall is 5.4 billion with 26,000 people and is 2.5 times bigger than us in assessment and there are a lot of nice places in Wall. All I ask for is fairness and clarity replied the Mayor. Clark replied he can to the best of his ability assist the Council and tax payers on the understanding. I will stay and be available to extend the

**PRESENTATION** (continued)

- understanding. I cannot fix a piece of this constitutionality of the process. That is well beyond my abilities.
- Mayor replied the constitutionality is correct and there is no argument. We are just hoping the rate is being calculated in the right way. Clark replied he disclosed everything and at the end of the day what drives this is the activities of the willingness of the buyers and sellers within your jurisdiction and others. That is what setting these numbers. The sale price of average homes is what's driving the shift.
  - Mayor said he would go as far to say because it's published a Director's Ratio, that's what leads you to these differences that you see? That should be directly correlated to the tax rate.
  - Clark replied he believes there would be no successful way to correlate the Director's process, a bigger picture than just a ratio and that is one of the driving forces as to why in our new program will have very, very little reliance on the Director's Ratio. There will be no conversion from disparate fractional assessments. We will talk about them 100% and anyone can do the math from moving that point forward. Once all 53 jurisdictions are speaking the same language at 100% then there will be no concern. Any gains will be shown quickly.
  - Mayor Farrell replied exactly. I'm a math guy and enjoy the calculation;
  - Clark replied the raw data and the published data is always available to test process but tires have effectively been kicked by myself, my brethren and the division of taxation so there is nothing wrong with the math but what is wrong is the process and we are well on our way of fixing the process;
  - Mayor Farrell asked with our new system we will be re-evaluated every year or 20% of the homes will be re-evaluated. Clark said 100% of the homes will be physically re-evaluated every year. It's a two-step process. One being back ground noise collecting data in a cost effective way but every property, every year is set to 100% whether it's up or down based on the current market value. It becomes very transparent and I want to arrive at a place where on the county website it will literally show your new assessment representing your market value and that assessment is supported by 3-5 comps. We actually show the cards of the assessment community and now we have a very productive discussion if you disagree with it. If you have knowledge that 3-5 are not good reasons of the representation of my property then we can get right to that discussion. And we do it at a timeframe before the appeal process that is informal, that's it's done before it becomes a cost to the jurisdiction which is one of the most important pieces to this overall process but our goal is to create an environment where the tax payer, the onus is shifted from tax payer to the assessor. And the product of the assessor becomes a public book. That public book can be reviewed in a time frame that doesn't cost you money. All the cost drivers of this system have been revamped to the benefit of the taxpayer both in the public service for all the things in attempt in changing the property tax system. You keep hearing about doing it cheaper, cost effective. Nowhere until this Monmouth program have we heard this speech about the public service side. Why can't we leverage technology to do more for less. Well we want to hold the public service side as critically important as the total cost of ownership of the system. We are well on our way to proving that this new model does that. It greatly enhances and elevates the public service shifting it to the government entity. All the while dropping the total cost of the process so that you see it and what you get in confidence that the assessment is correct and the fact that to arrive at that assessment cost you less than it did in the previous model;
  - Mayor questioned when that is fully implemented then the County will have just one rate meaning everyone will change every year so things will be updated in every town. Clark replied no that it's still based on you're going to be at 100% but because your total rate because of this governing body has their own choices. The counties will have will have the

**PRESENTATION** (continued)

- amount assigned to them as a municipality, will still be based on percentage share of the overall value. But then you have your internal choices of what your municipal budget will be. What you choice to execute as exceptions to the 2% CAP. All those things remain in your control. It's not as if we are going to have one rate for all jurisdictions because there is lots of choices being made at the municipal level.
- Mayor Farrell said we are talking about the county rate; if everybody's ratables are brought current every year, then the just like what we do every year, this year and every year in the local government, we lock the same ratable rate; the old ratable base since the last time we did a reassessment . The point I'm trying to make is once you make them fluid and move every year , then the County rate could go up because the County needs more money.
  - Correct, replied Clark, the levy increases. The Mayor said the ratables go up they get more money with the same rate every year just like we do when we get a new ratable or something. What's the point of moving the rate around if everyone's ratable are up to date each year. Clark replied in 2018 we will arrive at a normalized state where all these 53 municipalities' disparate ratios are at 100%. That is what I'm getting at, said the Mayor. Clark said when we get to 2018 it will be a straight forward process of it is still a levy in terms of rates and the rates will be internalized based on the county apportionment rate versus a municipal tax rate. They are two different things. A county apportionment rate will be the assignment of how much each town is still going to be based on if your worth 10% you're going to be assigned 10% of whatever levy goes into the raised for that year. Right, replied Mayor Farrell. We could be worth 10% one year and 9% another based on keeping it current. Clark replied correct. Clark answered to someone in the audience that no you wouldn't have the same rate because it's relative to your value, your internal rate is your value divided by the amount of assigned not apportioned to you divided by the value of that town. Even though it's a 100%, it's unique to those two components, your percentage.
  - Council President Fetzer thanked Matt Clark for his explanations. He questioned that he was unaware that we are the only county in the state going through this re-evaluation process and one of the things you said is that the County hopes to benefit by being able to get more state tax dollars into its coffers, very much akin to what Mayor Farrell wants to do but more county dollars into ours, but I'm curious since you were saying the constitutional amendment within the county would likely fail because there are so many municipalities; Clark interrupted saying it was his opinion, which CP Fetzer replied ok.. then what is your opinion on counties in the state that would not want to join the band wagon because it would cut the state dollars going to them;
  - Clark replied it was an excellent question. Drawing from the County relationship, 53 partners of the 21 partners in the 21 counties in NJ. The idea is that we could line them up just like we can line up our 53 partners who will be the winners and losers of that type of redistribution. The full expectation is that it will hit a critical mass; that the demonstration program that we are currently engaged in is actually going to be available to four Counties . Burlington County will begin the process in 2016. I expect that it will, once we start publishing how much it's saving us, that those four available spots will be absorbed so much that others will want in, the weight of the savings is literally going to guilt the public pressure of politicians to say we have to get on board. It's a better, fairer, model on every front. So the expectation is the early adopters are those who want to begin the savings and begin a better system for their tax payers. It will hit critical masses to where you have to become state wide law. That's the attention of the demonstration and we want to prove to you through this five year program that this is the better way for us to raise our revenue. So the fix is not going to be an
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**PRESENTATION** (continued)

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- elective process , that if we do our job right here in Monmouth, it will require statewide adoption.
- Tax Assessor Bernie Haney asked how much has municipalities saved in the new process? Clark responded there a lot of metrics to that. The only things I focused on right now that I have in hand that I can prove is the fact that in the old model we had a tax list of the value of the town established, then we went through the municipal budgetary process then we went through the appeals. One of the components of the program is that we flip flop the budgetary process and the appeal process. In doing so we are handing the governing body a honest view of what the town is worth. In the old model, the relationship between creating a tax rate and then go through appeals in a depreciating market and the value would be wiped out so you would never collect enough money to pay that current year's bill. Simplistically, flip the two dates. That's it. In doing so in Monmouth County we saved \$6.8M that won't have to go through emergency bonding. That is one of the many components that we have in play right now and we have a much larger issue that has to do with how we are going to avoid the multiyear exposure of what goes on in the tax court world. Our model now pulls the tax group exposures back down to the county tax court so that their engaged or addressed in the entirety in the year in which the year the money needs to be collected. You all must have seen the press from State-wide but most importantly from Atlantic City, the multi, multi-million dollar refunds that the casinos received from going to tax court. Appealing our taxes on a grand scale. If our Monmouth County process was in place there they would not have to pay back a penny. That is a perfect demonstration of in the worst case scenario in this environment works. It certainly and we already is six months we demonstrated we can stand in front of you and publically say we saved \$6.8M to the 53 municipalities, not a county savings that's a cost endured by the individual towns to varying degrees. We are expecting as this systems goes on that number as we pull more that is in play at the tax court, that number over the next couple of years may grow four fold.
- Councilperson Mulroy appreciated the presentation and thanked Mr. Clark. He said it sounds great for the county as long as it's not at the cost to Sea Girt because with the reevaluation currently going on Sea Girt is a great place to live and people want to be here; I feel for the older residents that bought a home earlier and have seen their taxes go up especially County taxes go up after being in town for 30 years, is a big jump from someone who may have bought their house for \$30K and its worth \$700K now over all that time. What can we hope to see from the re-evaluation as far as Sea Girts reevaluation market value?
- Mr. Clark kicked that question to the Tax Assessor. He asked Mr. Haney to answer on a whole. Mr. Haney replied \$15M in added assessments for 2014.
- An unknown person asked why not let municipalities decide if they want to participate? Mr. Clark replied that this process required the entire County to participate so there is uniformity within the County; the four County's included in the pilot legislation have the opt out of the process;
- An unknown person asked when this was adopted; Mr. Clark replied in 2013;
- Resident Kregg asked what about the people who want to stay and but not sell their property? She noted that the increased assessments are great for the County but not so good for those residents staying in the Borough. Mr. Clark replied there isn't a week that goes by that it hasn't been described to me that exactly you articulated. None of what you described as your goal isn't important to me because I want to die in my house; I am compassionate about this and all that can be made from the system id to make it fair; and let it be understood that I cannot make an expectation that because we would be removing that piece from the ratable base of the town. How do we piece that? Of all the concerns you outlined, I play a very small

**PRESENTATION** (continued)

- role in that, me standing in front of a public body my choice of words are so important. Are you lucky in general? Yes, Mrs. Kregg replied; I will be careful with no intentional offense, your fact pattern is one that my words didn't capture correctly. You are still up because it's Sea Girt, I grew up in SLH and I understand. Sea Girt is one of Monmouth County's best municipalities. Your concerns about taxes and the Mayor's concerns about taxes and the process is the focal point of this presentation and I start with the idea that as much as you are fortunate it is a double edge sword because of your rate of appreciation you are paying more of the share of services being rendered. You are a member and sometimes you may want to divorce yourself of that but you can't for a lot of meaningful reasons. Where you are right now is the pain of being here. Mrs. Kregg questioned a sign and Mr. Clark referenced Mr. Haney and asked if he was aware of the sign.
- Mayor Farrell told Mrs. Kregg that he has been reaching out to a two year old process, I have been speaking to Freeholders Arnone quite a bit as has Mrs. Carafa about the flooding and the area near your shop and the coastal evacuation route. I wrote an extensive letter in July 2014 which I received a good response from Mr. Arnone. These two major areas need to be fixed by the County. I'm hopeful we will make serious traction on that right away.
- Mr. Clark asked if he could add to that and he said he would certainly endeavor to assist but I am a representative of the County and I will carry forward any request from the County, however, I play a role and I will track down who is in charge of that sign.
- Mayor Farrell thanked Mr. Clark for his presentation and time explaining the tax process.

6. **OPEN DISCUSSION** (Council is invited to speak on any subject): No comments.

7. **OLD BUSINESS**

1. **Ordinance No. 15-2014:** Resolution to Reschedule the Public Hearing

**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 introduced Ordinance No. 15-2014 on June 25, 2014 and originally scheduled the required public hearing to be held on August 6, 2014.

**WHEREAS**, the said Ordinance was not published as required by the Municipal Land Use Law, N.J.S.A. 40:55D, et seq.

**NOW, THEREFORE, BE IT RESOLVED** that the public hearing for Ordinance No. 15-2014 be and the same is hereby rescheduled to September 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			

## 8. NEW BUSINESS

A. **Elevated Water Tank Rehabilitation Project:** The Clerk reported as follows: Two bids were received on July 23, 2014 and reviewed by HMM personnel:

US Tank Painting, Inc., Millstone, NJ	\$644,699.00
Allied Painting, Inc.	\$710,300.00

She further reported that the apparent low bid exceeds the amount of available funding and provided Council with the following options: rebid at this time with a project mobilization date of either spring (not recommended) or fall 2015, or accept the lowest bid submitted on July 23. If the Council chooses to proceed at this time, the *award* of the bid must be held until the following Ordinance 18-2014 is adopted. Council President Fetzer explained that most painting contractors are busy this fall and did not bid. It is not recommended to begin this type of project in the spring - it should be done in the fall. Engineer recommended doing this and cannot say if rebidding in the spring will lower the cost. By consensus, Councilpersons Foley, Buonocore, Cerami and Morris agreed to repair now and Councilperson Mulroy suggested waiting. After discussion, Borough Council opted to introduce the said Ordinance:

**Ordinance No. 18-2014:** The Mayor read the said Ordinance by Title:

### ORDINANCE NO. 18-2014

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

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

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

DESCRIPTION OF IMPROVEMENT	ESTIMATED COST
Improvements to Elevated Water Storage Tank	\$200,000.00

**Section 2.** The improvements as stated above are general improvements that the Borough may lawfully undertake and the amount appropriated therefor is \$200,000.00.

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

**Section 4. Repeal, Severability.**

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

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

**Ordinance No. 18-2014 (continued)**

**Section 5. Effective Date**

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

**UPON MOTION** of Council President Fetzer, seconded by Councilperson Morris, carried, that the said Ordinance No. 18-2014 be adopted on first reading, directing the Clerk to post and publish as required by law and setting the public hearing for September 10, 2014.

**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. Ordinance No. 19-2014:** The Mayor read the said Ordinance by Title:

**ORDINANCE NO. 19-2014**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER II (ADMINISTRATION),  
ARTICLE 39 (JUNIOR FIREMEN'S AUXILIARY TO SEA GIRT FIRE  
COMPANY NO. 1) OF THE BOROUGH CODE OF THE  
BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH**

**BE IT ORDAINED BY THE BOROUGH COUNCIL** of the Borough of Sea Girt that the Borough Code is hereby amended and supplemented as follows:

**2-39 JUNIOR FIREMEN'S AUXILIARY TO SEA GIRT FIRE COMPANY NO. 1.**

**2-39.3 Eligibility.**

No person shall be eligible for membership who is less than fourteen (14) years of age or more than eighteen (18) years of age and shall be required to submit written permission from their parent, signed and acknowledged in the manner required by law for recordation of deeds. (Ord. No. 880 § 2)

**2-39.4 Rules and Regulations.**

a. The Officers of Sea Girt Fire Company No. 1 shall be responsible for the training of members of the Auxiliary for eventual membership in this or other fire companies and shall comply with *N.J.S.A. 40A:14-98* as amended and Junior Firefighter Auxiliaries.

b. No member shall be required to perform duties which would expose him/her to the same degree of hazard as a regular member of the Fire Company.

c. Activities of Junior Firemen under the age of sixteen (16) shall be limited to:

1. Attending meetings of the Junior Firemen's Auxiliary;
2. Receiving instruction;

**Ordinance No. 19-2014** (continued)

3. Participating in training that does not involve fire, smoke, toxic or noxious gas, or hazardous materials or substances; and

4. Observing firefighting activities, while under supervision. Junior Firefighters under the age of sixteen (16) will not be allowed on an Active Fire Scene and shall not be permitted to operate power equipment at any time.

(Ord. No. 880 § 3)

**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 Councilman Mulroy, seconded by Council President Fetzer, carried, that the said Ordinance No. 19-2014 be adopted on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as September 10, 2014.

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 No. 165-2014:** Award Contract to Fernandes Construction, Inc. for Improvements to Stockton Boulevard

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

**WHEREAS**, the Borough of Sea Girt advertised in accordance with specifications prepared by Leon S. Avakian, Inc. for bids for the project known as Improvements to Stockton Boulevard; and,

**WHEREAS**, a total of three (3) vendors submitted proposals by the date and time required in the Bid Specifications:

Fernandes Construction, Inc., South River, NJ	\$245,630.00
Earle Asphalt, Inc. Farmingdale, NJ	\$269,313.13
Lucas Construction, Inc., Morganville, NJ	\$325,865.00

**WHEREAS**, said bids were reviewed by the Borough Engineer; and,

**WHEREAS**, funds are available for this Project and the Chief Financial Officer has so certified;  
and,

**Resolution No. 165-2014** (continued)

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. The bid for the Project known as Improvements to Stockton Boulevard be and the same is hereby accepted from Fernandes Construction Co., Inc., 88 Appleby Ave., South River, NJ 08882 in the amount of \$245,630.00 and a contract awarded to the same.
2. The Mayor and Municipal Clerk are hereby authorized to enter into a contract with Fernandes Construction Co, Inc., South River, NJ for the said Project.

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution shall be supplied to Fernandes Construction, Inc., the Borough Engineer and Chief Financial Officer for her information and 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 No. 166-2014** –Award Contract for Purchase of Model 1600 XD 4 x 4 Utility Vehicle from Bortek Industries, Inc.

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

**WHEREAS**, the Borough of Sea Girt solicited quotes for the purchase of a 4 x 4 utility vehicle for use by the Borough of Sea Girt Police Department in patrolling the beachfront area of the Borough; and,

**WHEREAS**, Bortek Industries, Inc. has available a demonstration Model 1600 XD 4 x 4 utility vehicle suitable for the purposes identified at a 41% discount off the State contract price or \$9,995.00; and,

**WHEREAS**, funds are available for this purchase and the Chief Financial Officer has so certified; and,

**NOW, THEREFORE, BE IT RESOLVED** that the purchase of the Bortek Industries, Inc. Model 1600 XD 4 x 4 utility vehicle for the use by the Sea Girt Police Department be and the same is hereby approved.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be supplied to Bortek Industries, Inc., along with a properly executed Purchase Order, Chief Kevin Davenport and the Chief Financial Officer for her information and action.

**Resolution No. 166-2014** (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			

E. **Resolution No. 167-2014: UPON MOTION** of Council President Fetzer, seconded by Councilperson Foley, carried, that the following Resolution be and the same is hereby adopted:

**WHEREAS**, the County of Monmouth and the Borough of Sea Girt are parties to an Agreement dated December 7, 2011 concerning, generally, the cooperation between participating municipalities and the County to receive CDBG entitlement funding; and

**WHEREAS**, the U.S. Department of Housing and Urban Development: Community Planning and Development (“HUD”), has issued additional requirements for what must be included in all cooperation agreements entered into between counties and participating municipalities; and

**WHEREAS**, the Agreement dated December 7, 2011 must be amended to legally conform to HUD’s new requirements; and

**WHEREAS**, the Borough of Sea Girt and the County of Monmouth have decided that it is in its residents’ best interests to amend the Agreement to conform to HUD’s cooperation agreement requirements; and

**NOW, THEREFORE**, the County and Borough of Sea Girt hereby agree as follows:

1. Section J shall be adopted and shall contain the following language:
2. A unit of general local government may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the Transportation, Housing and Urban Development, and Related Agencies Appropriates Act, 201, Pub. L. 113-76.
3. All other provisions of the original Agreement shall remain in place and not be affected by this amendment.

ATTEST:

MONMOUTH COUNTY BOARD OF  
CHOSEN FREEHOLDERS

\_\_\_\_\_  
Marion Masnick  
Clerk to the Board of Chosen  
Freeholders

\_\_\_\_\_  
Lillian G. Burry  
Freeholder Director

**Resolution No. 167-2014** (continued)

ATTEST:

Borough of Sea Girt

\_\_\_\_\_  
Name: Lorraine P. Carafa  
Title: Municipal Clerk

\_\_\_\_\_  
Name: F. Ken Farrell  
Title: Mayor

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. **Baltimore Blvd. and Neptune Place Outfall issues** – The Administrator reported that the Borough is are continuing the dialogue with DEP, the ACoE and our Federal legislators; we are encouraged that there is positive momentum towards a permanent solution, although not in the short run. Plans are being developed along with project cost estimates for the project and we continue to demand funding participation by both the ACoE and the DEP. We have put in place a contingency plan including but not limited to personnel standing by, continuing to clear the outfalls daily and the placement of pumps at/near both locations in the event of rain.

At this time, Mayor Farrell read a letter from Senator Singer, Assemblyman Kean and Rible on the extension of the outfall issue, and Peter Avakian, Borough Engineer, read his report (attached in full at the end of the Minutes).

- Council President Fetzer thanked Mr. Avakian for his report and requested a schedule on the design and construction of the outfall extensions. Mr. Avakian replied he hoped for a quick response and to be able to move forward quickly; if we have to proceed on our own, we would request reimbursement for project; he also noted that it is difficult to obtain reimbursement for such a project if the Borough initiates action without prior approval and without permits and as an example, noted that the ACoE and DEP jointly cooperated on the 1997 extension of the pipes and the cost was shared with the Borough. A reasonable timeframe is 6-8 weeks to prepare plans; 4 weeks to bid; construction taking 3 or 4 weeks depending on material availability.
- Council President Fetzer asked about permits required; stated this is a serious problem and should not wait any longer, nor should we wait for ACoE; we must be pro-active; Mr. Avakian suggested that it may be possible to obtain an emergency permit;
- Mr. Avakian further stated this is the ACoE (and DEP) responsibility as we had notified them during the pre-construction meetings that if the outfalls were not extended during the project, the Borough would experience sand blocking the outfalls as happened in 1996;

**Administrative Reports/Discussion Matters** (continued)

- Mr. Avakian noted that if absolutely necessary, we can provide the initial design plans in 3-4 weeks;
- Councilperson Foley asked what the effect of waiting 5 to 6 weeks will have on the beach; Mr. Avakian said it could cause scouring of beach and loss of sand, exactly what the Borough needs;
- Councilperson Cerami stated that if the ACoE does not take responsibility, efforts to correct should be directed to the DEP;
- Councilperson Buonocore asked if any other options are available right now; Mr. Avakian noted that the outfall pipes are too flat for innovative processes to be effective and stressed that it was very important to continue the dialog and pressing the agencies for assistance;
- Council President Fetzer asked if the installation of temporary pumps was considered; Mr. Avakian replied that the Borough had pumps available to be used if necessary;

By consensus, the meeting was opened to the public at this time for their comments:

- Alex Fatenko, 605 Boston Blvd, asked if 150' east is below sea level. Peter Avakian explained that it is;
- Shawn Mulligan, 101 Neptune Place, appreciates everyone's efforts communicating and looks forward to moving forward and doing what needs to done;
- Peter Avakian appreciates the residents communication to the DEP and ACoE which are very helpful with the cause;
- Bryan Aprahamian – 116 Neptune Place, thanked council for their immediate action; wants to move forward and fix problem immediately; confident we will be reimbursed;
- M. McCarthy questioned what if a bulldozer fails; do we have a backup plan? Mayor Farrell noted that the Borough of Spring Lake has several dozers that we could use if necessary, and noted that SMRSA has loaned the Borough a pump to use in case it is necessary.
- Councilperson Mulroy advised that Spring Lake has a backhoe, if necessary and noted that the Fire Department can also assist if requested by OEM.

**Resolution No. 168-2014:** Authorize Borough Engineer to prepare construction plans for outfall extensions.

**UPON MOTION** of Councilperson Foley, seconded by Councilperson Buonocore, carried, that the Borough Engineer be and he is authorized to prepare plans for the extension of the Neptune and Seaside Place outfalls pipes in the Borough.

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			

- Councilperson Cerami asked for a status report on the hiring of a new CFO; the Administrator responded that the process is on-going.

**Administrative Reports/Discussion Matters** (continued)

- B. **Parker House Issues:** Borough representatives met with residents living in the vicinity of Parker House on Wednesday, July 30; the issues raised by residents included rowdy, noisy and rude behavior by patrons, including public urination, trespassing on private property, littering on neighboring properties, alleged overcrowding, serving of minors and over-serving individuals. In a meeting with Parker House management on Thursday, July 31, all of the above issues were discussed, including recommended additional measures by Parker House to address these issues, including the reduction in the selling hours of low-cost drink specials, deployment of their staff in a wider area to pick up trash at the close of business. Chief Davenport will be addressing the other quality of life issues with the implementation of extra foot patrols between bar break and 3:00 AM.
- C. **Movie on the Beach** – The Borough’s first “Movie on the Beach” featuring the sing-along version of Disney’s “Frozen” was well-attended and well-received.
- D. **Sea Girt Chamber of Commerce Sand Castle Contest** is scheduled for Thursday, August 21, 2014 at 9:00 AM at Chicago Boulevard Beach.
- E. **Crescent Park Tennis Courts** – tennis courts resurfacing was completed on July 30, 2014.
- F. **Baltimore Park Playground** – new safety surfacing has been installed to the required depth.
- G. **2<sup>nd</sup> Annual Library Wine and Cheese** celebration will be held on Saturday, September 13, 2014 from 5:00 to 7:00 PM; invitations will be mailed shortly.
- H. **Phase II of the Borough’s Beach Grass Planting/Dune Restoration Project** is scheduled for Saturday, October 18, 2014 from 8:45 AM to 11:00 AM (rain or shine). Volunteers are needed for this important project.
- I. A Motion for Summary Judgment filed by the Borough in the matter *Wilkens v. the Borough of Sea Girt et al.* was heard by Judge Scully on July 25<sup>th</sup>, 2014 and the motion granted in the Borough’s favor. This matter was previously discussed in Executive Session by the Council.

**10. QPA REPORTS** (of activity since previous Council Meeting):

- Bortek Industries, Cushman vehicle for DPW, \$34,408 (state contract);
- CertaPro Painters, Library (including trellis and gazebo and Philadelphia Gazebo at Beachfront, \$6,944.61 (RFP issued)
- French and Parello, traffic study – beach area, \$7,200 (RFP issued)

**11. COUNCIL REPORTS**

Councilpersons Foley, Buonocore, Cerami had no reports.

Councilperson Morris reported as follows:

- Library Book Sale collected \$712.00;
- The Police National Night Out including Spring Lake Heights was a huge success; thanked NGTC for hosting.

**Council Reports** (continued)

Councilperson Mulroy reported as follows:

- Beach up 300 season badges;
- Revenues up from last year;
- 3 lifeguards were named to World Team competing in France in November;
- Read a letter from Chief Willms stating Fire Department has a new protocol with fire horn: 1) pager and 2) text message, and that the fire horn will not activate after 10:00 pm unless active fire; Fire Department is aware of issues with the fire horn and is trying to work with the community; date will be confirmed when effective.

Council President Fetzter reported as follows:

- Water Plant mediation with Patock is to be discussed in Executive Session.

**12. Resolution No. 169-2014:** Payment of bills

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

**BE IT RESOLVED**, by the Borough Council of the Borough of Sea Girt that bills be paid as appearing on the attached Bill List dated August 1, 2014 in the totals as follows:

CURRENT FUND	\$	118,714.62
WATER/SEWER OPERATING FUND	\$	13,649.30
BEACH OPERATING FUND	\$	11,004.34
TRUST	\$	5,620.00
RECREATION TRUST	\$	14,528.97
UNEMPLOYMENT TRUST	\$	4,316.78
BEACH CAPITAL	\$	17,581.40
GENERAL CAPITAL	\$	43,696.10

**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 Fetzter	X			
Councilman Mulroy	X			
Councilman Cerami	X			

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

Tony Sofia, Parker House Manager thanked the Councilmembers, Administrative Office and Police Chief for opening and maintaining dialogue and noted that the Parker House has additional staff monitoring an area expanded to six blocks around the premises. He noted that the Parker House is very active in community. He also clarified that the establishment does not hire off-duty Sea Girt police officers. Scanners are used at both doors. This season we had 12-14 under-aged patrons turned over to the Police Department and they were arrested. The Fun Run race is not sponsored by the Parker House but by Robert Giaquinto who raises money for charitable

**Public Participation** (continued)

purposes. We try to address all issues and keep lines of communications open, as we feel we are addressing all issues and we are doing our job.

Tom DeFelice, Chicago Blvd, has concerns with the closing hour at the Parker House. People sit on my steps, not every weekend. More cops on street would be helpful.

Bill Dunn, Beacon Blvd, wakes up many weekends to the patrons exiting the Parker House. It seems too many people are allowed in the building and cannot be disbursed quietly. Occupancy should be decreased. Police specials should start later in the evening and separate. Officers in patrol cars should be more visible for calming effect. Install "zero tolerance" signs. Seek a mutually beneficial solution within the community.

Wayne Kovacs appeared to appeal his denied taxi driver application. Clean record for five and half years, provided letters of recommendation; in AA now and sober for 10 years. 4-9; 4-10 of our ordinance allows Chief to deny. Council provides 35 days to file formal appeal. Patrick Finn, Chicago Blvd, asked police Chief if it is necessary to have 150 taxis. Chief Davenport explained taxi policy. He would like to see a taxi traffic pattern implemented. He has never seen employees from Parker House picking up in the area.

Candice Kadimik, owner of the Beacon House has concerns with the Fun Run. This race is becoming an issue with amount of people and now is harming her business. She asks that they comply with the conditions of the license.

Marie Muhler, Beacon Blvd., is concerned with the excessive volume of people in the area. She cannot sit on porch, must use earplugs and cannot sleep on weekends. Parking is a major issue every day. Community wants Parker House to remain, but something needs to change. She suggests a special mediator with experience to solve disputes between neighbors.

Brian Manley, Ocean Avenue, represented many of his neighbors and issued a list of problems to Mayor and Council signed by residents. Asked how Council is changing conditions and making them comply. Nightclub is the issue.

Chuck Anthony, Baltimore Blvd., although 35 people have signed the letters there are many more in the area who do enjoy the Parker House. He noted that some complaints are not Parker House related and commended the Parker House for a what they do.

Michael Mulroy, Beacon Blvd., stated that he has noticed more incidents this season and it seems that there are more people patronizing the Parker House. He also stated that it seems to be a different group of people but mostly volume issue. More police specials and patrols could help and additional consideration for Fun Run next year.

Mayor Farrell noted that he would like to find a happy medium for everyone.

There being no further comments, the public hearing was closed. **UPON MOTION**, of Councilperson Foley, seconded by Councilperson Buonocore, carried, that the following **Resolution No. 170-2014** be and the same is hereby adopted:

**Resolution 170-2014** (continued)

**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, Sitar), contract negotiations, personnel.
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 Council returned to public session at 11:55 PM and the Clerk noted that during the Executive Session, the matters of pending and potential litigation (Patock, Walker and Edgar's), a personnel matter and contract negotiations were discussed. The Clerk also noted that Councilperson Mulroy left the Executive Session prior to the discussion of the Walker matter.

**UPON MOTION** of Councilperson Buonocore, seconded by Council President Fetzer, carried, that the following **Resolution No. 171-2014** be and the same is hereby adopted:

**WHEREAS**, the Borough Council of the Borough discussed the matter involving a settlement with Mr. Walker during the Executive Session just concluded.

**NOW THEREFORE BE IT RESOLVED**, that the Borough Council of the Borough of Sea Girt authorizes the Borough Attorney to proceed on this matter as discussed.

**BE IT FURTHER RESOLVED** that this matter will be made public at such time as confidentiality is no longer an issue.

MINUTES - REGULAR MEETING  
August 6, 2014

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**Resolution No. 171-2014** (continued)

**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 Councilperson Buonocore, seconded by Council President Fetzer, carried, that the meeting be finally adjourned at 12:00 AM.

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Lorraine P. Carafa  
Municipal Clerk