

MINUTES
REGULAR MEETING – SEPTEMBER 24, 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 September 24, 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.

1. ROLL CALL:

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

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

3. CONSENT AGENDA - Resolution 188-2014: Resolution To Recognize Paul and Margo Hooker On The Occasion of Receiving The Norma K. Todd Service Award from Lunch Break of Monmouth County

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

WHEREAS, Borough residents Paul and Margo Hooker, long-time volunteers at Lunch Break of Monmouth County, epitomize the virtues of Mrs. Norma K. Todd by their service and dedication to those less fortunate; and,

WHEREAS, Mr. and Mrs. Hooker embraced the vision and purpose of Lunch Break by generously donating their resources, time and talents in the spirit of Mrs. Todd, whose motto “Let’s Get it Done” became their motto.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of Sea Girt acknowledges and recognizes our residents, Paul and Margo Hooker, for their continuing aid to Lunch Break of Monmouth County on the occasion of receiving the **Norma K. Todd Service Award** and for their dedication and service to all with compassion and dignity.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to Mr. & Mrs. Hooker.

Resolution No. 188-2014 (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			

4. APPROVE MINUTES

- **Resolution 189-2014:** August 27, 2014 Special Meeting

UPON MOTION of Council President Fetzer, seconded by Councilperson Morris, carried, that the Minutes of the Special Meeting held August 27, 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			

- **Resolution 190-2014:** September 10, 2014 Regular Meeting

UPON MOTION of Councilperson Buonocore, seconded by Council President Fetzer, carried, that the Minutes of the Regular Meeting held September 10, 2014 be and the same are hereby adopted as presented.

Recorded Vote:

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

5. OPEN DISCUSSION: No comments from Council members.

6. OLD BUSINESS – None

7. NEW BUSINESS

A. Resolution 191-2014: Ratify Agreement and authorize Mayor and Clerk to execute same with Sea Girt PBA Local 50. Mayor Farrell thanked Negotiating Committee for their efforts and noted that this Agreement serves both members of PBA and residents as well.

UPON MOTION of Councilperson Foley, seconded by Councilperson Buonocore, 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 statutes; and,

WHEREAS, PBA Local 50 (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 December 31, 2013; and,

WHEREAS, the Borough and Union have engaged in good faith collective bargaining and have amicably reached an agreement for the period January 1, 2014 through December 31, 2017, inclusive.

NOW, THEREFORE, BE IT RESOLVED that the Borough hereby ratifies the attached agreement and authorizes the Mayor and Clerk to execute the said 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			

B. Resolution 192-2014: Memorialize appointment of Anthony McHugh as full-time DPW employee.

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 Department of Public Works has the need to appoint a staff member to fill the vacancy left by the resignation of Keith Smyth; and,

WHEREAS, the Borough Council wishes to memorialize the actions taken by the Borough Administrator and the Department of Public Works Manager.

NOW, THEREFORE, BE IT RESOLVED that the Anthony McHugh be and he is appointed a full-time Laborer in the Department of Public Works effective July 1, 2014 at the rate of \$33,888.41, pro-rated as necessary.

Resolution No. 192-2014 (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			

C. Resolution No. 193-2014: To Award A Non-Fair And Open Contract To Hatch Mott MacDonald For Contract Administration And Project Oversight Services For The Project Known As Improvements To The Elevated Water Storage Tank. Mayor Farrell commented this is the last piece of the rehabilitation of the Water Plant. Work is expected to begin next week and to be completed in the fall; a letter will be going home to parents of SGES students and to the BOE advising of the scope of work. Council President Fetzer noted that additional funding was required as the bids exceeded the available funding and the completion of job is weather dependent. After further discussion, and **UPON MOTION** of Councilperson Foley, seconded by Councilperson Morris, carried, that the following Resolution be and the same is hereby adopted:

WHEREAS, the Borough is in need of professional engineering services for contract administration and project oversight for the project known as the Improvements to the Elevated Water Storage Tank; and,

WHEREAS, Hatch Mott MacDonald has submitted a proposal to provide professional engineering services for contract administration and project oversight for the project known as the Improvements to the Elevated Water Storage Tank.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt, County of Monmouth that a non-fair and open professional services contract be awarded to Hatch Mott MacDonald has submitted a proposal to provide professional engineering services for contract administration and project oversight for the project known as the Improvements to the Elevated Water Storage Tank at the cost of \$59,150.00.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk be and they are hereby authorized to execute the Agreement with Hatch Mott MacDonald for the professional services identified above for the project known as Improvements to the Elevated Water Storage Tank.

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. 194-2014: Resolution Authorizing The Sale of Personal Property Not Needed For Public Use At Public Auction Through USGovBid. Mayor Farrell described some of the items available for the on-line auction. Councilperson Cerami suggested we sell the bicycles directly to the community. Councilperson Mulroy asked to have the Hankins-style boats removed from the auction list; Councilperson Foley suggested this be discussed at the upcoming Beach Committee meeting. By consensus, the Council agreed to remove the boats from auction list at this time.

UPON MOTION of Councilperson Foley, seconded by Councilperson Morris, carried, that the following Resolution be and the same is hereby adopted. After further discussion during the public comment portion of the meeting, Councilperson Foley moved to amend the resolution to remove all bicycles from the auction list and conduct an in-house sale; the motion was seconded by Councilperson Cerami.

WHEREAS, the Borough of Sea Girt has previously determined that certain personal property as described on the below listed "Schedule A" is no longer needed for public purposes; and,

WHEREAS, pursuant to *N.J.S.A.40A:11-36*, "Sale or other disposition of personal property," the governing body may authorize the public sale of municipal owned property no longer needed for public use; and,

WHEREAS, the sale is being conducted pursuant to Local Finance Notice 2008-09; and,

WHEREAS, the terms and conditions of the agreement entered into with USGovBid is available on-line at; www.USGovBid.com and placed on file and available for public inspection in the office of the Municipal Clerk; and,

WHEREAS, the sale will be conducted online from **Saturday, October 22, 2014 through Thursday, October 28, 2014** and the address of the auction site is: www.USGovBid.com; and,

WHEREAS, no express or implied warranty is made for the property subject to sale. All property is being sold in "as is condition"- "where is"; and,

WHEREAS, all sales are final and preview will consist of on-line photos only on the website www.usgovbid.com; and,

WHEREAS, all merchandise must be removed within 10 business days from the time and date of issuance of the Buyers Certification otherwise buyers will be charged \$10.00 per day per item storage fee; and,

WHEREAS, Council has agreed to remove all bicycles from the auction list and conduct an in-house auction for these items and notice of same will be published in an official newspaper as required by *NJSA 40A:11-36 (3)*.

WHEREAS, Notice of Auction shall be published in an official newspaper on Thursday, October 9, 2014 and October 16, 2014 as required by *N.J.S.A. 40A:11-36(3)*.

NOW, THEREFORE BE IT RESOLVED that the Borough Council does hereby authorize the Mayor and Municipal Clerk to enter into an agreement with USGovBid to conduct an internet auction of surplus property as previously identified.

Resolution 194-2014 (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			

8. ADMINISTRATOR REPORTS/DISCUSSION MATTERS

a. Baltimore Blvd. and Neptune Place Outfall issues:

- Per the DEP, the ACoE recognizes that there is an issue that has to be dealt with;
- Recommended solution by both the Borough Engineer and Corps in-house engineering staff is the extension of the outfall pipes at both locations; they are working on determining the proper length of the extensions;
- DEP confirmed the ACoE will develop the plans and specifications, prepare cost estimates to be vetted by the ACoE, advertise and bring in a contractor to perform the work and provide project oversight;
- We have been informally advised that there will be a reimbursement of expenses as either a credit to future replenishment or cash (the Borough has advised that a credit to future expense is not acceptable); *we are waiting for a written confirmation of this information;*
- Cost-sharing between DEP, the Borough will be required; Monmouth County has historically participated in these cost-sharing agreements, but the percentage of each share is to be determined (in previous projects, costs were allocated as follows: 65% State; 10% County, 24% local entity); *this must also be confirmed in writing;*
- At the estimated cost of \$3M, the borough's share could be as much as \$1.1 including engineering costs and project oversight; if costs are greater, the Borough's cost will be greater;
- It must be noted that this cost estimate does not include any other infrastructure improvements that may be necessary to address drainage issues;
- NJEIT has a program to fund resilience projects (infrastructure improvements) and damages arising from Superstorm Sandy and I have already contacted them regarding participation in this SAIL (Statewide Assistance Infrastructure Loans) program that offers
- Long-term financing at favorable rates and the Borough may be eligible for principal forgiveness if certain criteria are met; the Borough received a verbal notice that the extension of the outfalls is a viable project for consideration under this program upon submission for the required Letter of Intent and supporting documents by October 10.
- Councilperson Mulroy questioned the ACoE timeline and was advised that this information has not yet been determined;
- Council President Fetzer noted that the LOI and supporting documents are due by October 10 and asked if we will have our Engineer's input. The Administrator responded that some coordination issues must be addressed, but since work on this has already started, we will be able to comply with the information requirements of the financing program; Councilperson Cerami asked if additional pipe replacement will be needed; Mayor Farrell replied the possibility exists; comments continued.

Administrator Reports (continued)

- b. **Drainage Issues:**
- The Borough Engineer has completed the field survey work and data collection and is applying this information to the existing infrastructure mapping to determine what improvements are necessary in conjunction with the extension of the outfall pipes;
 - Preparation of plans has already been authorized; and work is under way evaluating capacity of the outfall pipes and municipal infrastructure;
 - We will follow up with Monmouth County again to determine what their level of participation will be in this project;
 - The Borough has received a verbal notice that these drainage improvements are also viable projects for consideration under the SAIL program upon submission of the required Letter of Intent and supporting documents by October 10, subject to the same favorable financing terms as previously noted.
- 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 released in the early fall. The first county wide plan was completed in 2009. The plan is a documented evaluation of the natural hazards to which a community is susceptible and the extent to which these events will occur. It identifies an areas vulnerability to the effects of natural hazards and the goals, objectives and actions required to minimize future loss. Mitigation is preparation and planning now to reduce loss of life and property later, by lessening the impacts of future disasters. The plan allows the County and the participating municipalities to apply for pre and post disaster mitigation grant funding through FEMA. Once released, 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.
- d. **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); meet at Trenton Boulevard. Volunteers are needed for this important project – contact Lynn Drury at drury7@verizon.net for information. Also recommended for all volunteers: wear hard-soled shoes, hats and sunscreen; bring gloves.
- 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. **CFO** – The Borough has identified a candidate and is presently discussing terms with him; it is anticipated that action will be taken on this appointment at the October 8 meeting. Councilperson Cerami noted that the Personnel Committee did not interview the applicants. The Administrator noted that the Chair of both the Finance and Personnel Committees, respectively, and the Mayor participated in the interview. After further discussion, Councilperson Buonocore requested that the Administrator forward the received resumes to all committee members and set up meeting with candidate.

Administrator Reports (continued)

g. Elevated Water Storage Tank Improvements - Pre-construction meeting was held on September 23 with contractor, US tank Painting; and barring any unforeseen weather issues, to be complete by the end of November with demobilization to take another 2-4 weeks:

- They are expected to mobilize next week with the installation of the temporary hydropneumatic system to stabilize system water pressure before the elevated tank is taken out of service.
- Notification letters will be sent to the school for distribution and to the residents within 200' of the project site.
- The entire tank structure will be covered by a containment system to minimize the public's exposure to dust and debris during the removal of the old coating and installation of the new.
- Contractor will provide color samples as soon as possible and will require a choice to be made by October 22 at the latest.

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

10. COUNCIL REPORTS

Councilpersons Foley, Buonocore, Cerami and Mulroy had no reports.

Councilperson Morris reported as follows:

- Library 2nd Annual wine and Cheese Event was successful: over 100 people attended;
- Thanked Committee and donors.

Council President Fetzler reported as follows:

- Negotiating Committee Meeting with Teamsters is scheduled for October 7

Councilperson Mulroy advised that Surfrider Foundation had identified Sea Girt as a location for their dune restoration project and asked that we reach out to them to see if coordination with our October 18 date is feasible.

Mayor Farrell reported as follows:

- Thanked Mr. & Mrs. Kregg for all their efforts on behalf of Sea Girt.
- Operation Beachhead photo opportunity scheduled for tomorrow is cancelled due to weather;
- Phase II dune building will begin to bolster dunes to north of Neptune Place and further to Philadelphia northward will be increased in size; received two generous donations to plant additional plants;

11. Resolution 195-2014: 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 September 19, 2014 in the totals as follows:

CURRENT FUND	\$	56,060.99
WATER/SEWER OPERATING FUND	\$	33,672.83
BEACH OPERATING FUND	\$	7,436.32
TRUST FUND	\$	1,085.00
RECREATION TRUST	\$	4,218.83
BEACH CAPITAL	\$	18,500.00
GENERAL CAPITAL	\$	27,162.50
WATER CAPITAL	\$	6,579.84

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			

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

Judith Gately of Trenton Blvd. thanked Council members and Mayor Farrell for their efforts on “Turn the Town Teal” and also thanked Mrs. Carafa for her efforts. She questioned the bike auction procedure. Chief Davenport explained USGovbid inventories and identifies items that can be sold on website. See above - Resolution was amended to remove bikes from on-line auction.

Sharon Kregg suggested keeping recovered bicycles at Borough Hall when they are collected to be viewed by residents who have had bicycles lost or stolen; Chief Davenport noted that this option is available.

Candace Kadimik, owner Beacon House requested a status update on the complaints regarding the quality of life issues near the Parker House; she read from Ordinance 6-4.6 and 4-6 and noted that Parker House appears to be in violation of these sections. She questioned why patrons are allowed to violate ordinances. Music is a constant nuisance; would like a response from Council to her August 4th letter.

Mayor Farrell noted that his direction to Borough staff is to not allow Ordinance violations. This has been communicated to the Parker House as well. There are some issues as this is a pre-existing non-conforming use; requires legal guidance to review an agreement dated back to 1981. We will ask the Parker House to hire additional personnel to staff operations. She noted that neighbors want pro-active enforcement of Ordinances.

Mayor Farrell noted that at a previous meeting, a resident suggested sitting down with a mediator and the Parker House management to resolve some of these issues and noted that that this should

Public Hearing (continued)

be neighbor-to-neighbor discussions not involving the Borough Council, Administration or the Police. Ms. Kadimik responded that discussions seem to be a good idea.

Shawn Mulligan, Neptune Place asked for update on dunes. Mayor Farrell reported that Morven Terrace height will match the 18' height of area south of Neptune and the width will be increased at south end. Borough will be working on dune restoration with planting scheduled for October 18. Mr. Mulligan noted that Neptune Place has started to open up. The discussion continued for several minutes.

Mr. O'Grady, The Terrace, questioned the status of the impervious coverage ordinances. Mayor Farrell responded that he recently met with Bret Violette to discuss enacting rules similar to the pool ordinance amendment that was adopted last year. Council is behind this concept; run off is a problem that has to be addressed.

There being no further comments, the public hearing was closed. **UPON MOTION**, of Councilperson Foley, seconded by Councilperson Mulroy, carried, that the following **Resolution No. 196-2014** be and the same is hereby adopted:

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

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

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

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

Recorded Vote:

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

There being no further business and **UPON MOTION** of Council President Fetzer, seconded by Councilperson Buonocore, carried, that the meeting be finally adjourned at 9:20 PM.

Lorraine P. Carafa, RMC
Municipal Clerk