

**MINUTES - REGULAR MEETING
March 14, 2018**

The Regular Meeting of the Borough of Sea Girt Council was called to order by Mayor F. Ken Farrell at 7:00 PM on Wednesday, March 14, 2018 at the Sea Girt Elementary School, Bell Place, Sea Girt. Mayor Farrell asked for a moment of silence; he then led those in attendance in the Pledge of Allegiance.

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 Meixsell	X	
Councilwoman Morris	X	
Council President Fetzer	X	
Councilman Mulroy	X	
Councilwoman Anthony	X	

2. PUBLIC PARTICIPATION ON ANY CONSENT AGENDA ITEM: No comments from the public present.

3. CONSENT AGENDA: None

4. APPROVE MINUTES

A. Resolution No. 47-2018: Approve Minutes, Regular Meeting held February 28, 2018

UPON MOTION of Council President Fetzer, seconded by Councilman Mulroy, carried, that the Minutes of the Regular Meeting held February 28, 2018 be and the same are hereby approved as presented.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley	X			
Councilman Meixsell	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilwoman Anthony	X			

5. OPEN DISCUSSION: Mayor Farrell commented that he listened to the conference call on Governor Murphy's budget and the following were his high priority items:

- Schools are underfunded; increase school aid;
- Make colleges more affordable;
- Increase contribution to public employees' pension systems by \$700M;
- Increase minimum wage to \$15.00 per hour;
- Increase property tax deduction from \$10K to \$15K;
- Increase NJ Transit funding;
- Increased funding for infrastructure improvements;

6. OLD BUSINESS

A. Ordinance No. 04-2018: Public hearing/adoption

1. The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in Asbury Park Press on March 4, 2018:

Mayor Farrell noted these improvements are funded through fund balance and will not add additional debt to the Borough.

**ORDINANCE NO. 04-2018
AN ORDINANCE PROVIDING FOR IMPROVEMENTS
TO OCEAN AVENUE AND PROVIDING FOR THE COST THEROF FROM THE
CAPITAL IMPROVEMENT FUND OF THE BOROUGH OF SEA GIRT,
COUNTY OF MONMOUTH, NEW JERSEY**

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

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

DESCRIPTION OF IMPROVEMENT	ESTIMATED COST
Improvements to Ocean Avenue	\$300,000

Section 2. The improvements as stated above are general improvements that the Borough may lawfully undertake and the amount appropriated therefor is \$300,000.

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 Capital Improvement Fund of the Borough of Sea Girt.

Section 4. Repeal, Severability.

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

Section 5. Effective Date

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

UPON MOTION of Councilwoman Morris, seconded by Councilman Meixsell, carried, that the meeting be opened to the public for comments on the said Ordinance only. There were no comments from the public present, and **UPON MOTION** of Council President Fetzer, seconded by Councilman Meixsell, carried, the public hearing was closed.

UPON MOTION of Councilman Foley, seconded by Councilman Mulroy, carried, that the said Ordinance No. 04-2018 be adopted on final reading, directing the Clerk to post and publish as required by law.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley	X			
Councilman Meixsell	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilwoman Anthony	X			

B. Ordinance No. 05-2018: Public hearing/adoption

1. The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in The Coast Star on February 22, 2018:

ORDINANCE NO. 05-2018

AN ORDINANCE TO AMEND CHAPTER IV, LICENSING AND BUSINESS REGULATIONS, SECTION 4-10.9, FEES, OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH

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

SECTION 1. Section 4-10.9, Fees, is hereby amended as follows:

a. The annual fee for each taxi/autocab owner's license hereafter issued, or any renewal thereof, shall be one hundred fifty dollars (\$150.00) for from one (1) to up to five (5) taxi/autocabs licensed for each year, or portion of a year. (Any additional taxi/autocabs registered to the same owner and so licensed shall pay a reduced license fee of fifty (\$50.00) dollars per vehicle for such additional taxi/autocab.) The license is not transferable and is granted to a specific vehicle. If such vehicle is sold or conveyed during the license year, the owner may apply to the Borough for a substitute for the remainder of the license period.

b. In the event a person issued a taxi/autocab owner's license also makes application for a taxi/autocab driver's license, the fee of twenty-five (\$25.00) dollars shall be waived.

c. The annual fee for each taxi/autocab driver's license hereafter issued, or any renewal thereof, shall be twenty-five (\$25.00) dollars for each year, or portion of a year, for which the license is issued or renewed.

d. No fees shall be prorated nor any part thereof refunded for any reason.
 (Ord. No. 13-2009 § 8; Ord. No. 19-2010 § 3)

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This Ordinance shall take effect upon publication in an official newspaper of the Borough, as required by and in conformance with law.

UPON MOTION of Councilwoman Morris, seconded by Councilman Mulroy, carried, that the meeting be opened to the public for comments on the said Ordinance only. There were no comments from the public present and **UPON MOTION** of Councilwoman Morris, seconded by Councilman Meixsell, carried, the public hearing was closed.

Councilman Mulroy noted he would like to see a fee reduction for vans next season.

UPON MOTION of Councilman Mulroy, seconded by Councilwoman Anthony, carried, that the said Ordinance No. 05-2018 be adopted on final reading, directing the Clerk to post and publish as required by law.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley	X			
Councilman Meixsell	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilwoman Anthony	X			

C. Ordinance No. 06-2018: Public hearing/adoption

1. The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in The Coast Star on February 22, 2018:

ORDINANCE NO. 06-2018

AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 17-1.4, PROHIBITED USES OF THE LAND USE VOLUME OF THE BOROUGH OF SEA GIRT CODE, CHAPTER XVII, ZONING, IN THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH

WHEREAS, the Borough of Sea Girt, in the County of Monmouth and State of New Jersey (the “Borough”) has a comprehensive Master Plan and Development Ordinances implementing that Master Plan; and

WHEREAS, the Borough has determined that the sale of medicinal and recreational marijuana requires special concern for security, safety and location purposes; and

WHEREAS, the Borough desires to ensure that such facilities are not allowed within the vicinity of a school, church, or playground, or in any commercial or residential zone; and

WHEREAS, there is no area of the Borough which can safely house a business selling medicinal and/or recreational marijuana and/or the paraphernalia that facilitates the use of such marijuana.

NOW, THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Sea Girt, County of Monmouth, State of New Jersey (the “Borough”), as follows:

SECTION 1. Chapter XVII of the Borough Code of the Borough of Sea Girt, entitled “Zoning” at Section 17-1.4 entitled “Prohibited Uses” is hereby amended and supplemented as follows:

- A. The manufacture, growth or cultivation related to marijuana is prohibited in all zones.
- B. The sale of marijuana and/or the paraphernalia that facilitates the use of marijuana for any purpose, whether medicinal or recreational, is prohibited in all zones.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This Ordinance shall take effect upon publication in an official newspaper of the Borough, as required by and in conformance with law.

SECTION 5. A copy of this Ordinance shall be filed with the Monmouth County Planning Board pursuant to N.J.S.A. 40:55D-16.

SECTION 6. A copy of this Ordinance shall be filed with the Borough of Sea Girt Planning Board for review pursuant to N.J.S.A. 40:55D-64.

SECTION 7. A copy of this Ordinance shall be filed with adjacent municipalities pursuant to N.J.S.A. 40:55D-15(a).

UPON MOTION of Councilman Meixsell, seconded by Councilwoman Morris, carried, that the meeting be opened to the public for comments on the said Ordinance only. There were no comments from the public present and **UPON MOTION** of Councilwoman Morris, seconded by Councilman Mulroy, carried, the public hearing was closed.

Councilman Meixsell asked if this Ordinance would cover growing marijuana in homes; Attorney, Nick Montenegro responded yes.

UPON MOTION of Councilwoman Anthony, seconded by Councilman Meixsell, carried, that the said Ordinance No. 06-2018 be adopted on final reading, directing the Clerk to post and publish as required by law.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley	X			
Councilman Meixsell	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilwoman Anthony	X			

7. NEW BUSINESS

A. Resolution No. 48-2018: Introduction of the Borough’s 2018 Budget

- 7th consecutive year – since 2012, the Council has reduced the municipal tax levy (2018: \$5,015,751.78; 2017: \$5,031,254,042,521)
- 7th consecutive year – since 2012, the Council has reduced or maintained the municipal rate (2018 preliminary rate: \$0.20; 2017 actual: \$0.21);
- Maintains all services at current levels;
- Public hearing is scheduled for April 11, 2018.

Mayor Farrell explained the budget and the amount to be raised by taxation; and highlighted the Council’s accomplishments: continue to improve infrastructure; increase in net surplus; we remain financially stable; copies of the budget are available at Borough Hall.

UPON MOTION of Councilman Foley, seconded by Councilwoman Anthony, carried, as follows:

BE IT RESOLVED that the following statements (summary attached) of revenues and appropriations shall constitute the Municipal Budget for the year 2018.

BE IT FURTHER RESOLVED that said Budget will be published in *The Coast Star* on March 29, 2018.

BE IT FURTHER RESOLVED that the hearing on said Budget will be held at the Sea Girt Elementary School on April 11, 2018 at 7:00PM, at which time and place objections to said Budget and Tax Resolution may be presented by taxpayers or other interested persons.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley	X			
Councilman Meixsell	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilwoman Anthony	X			

B. Resolution No. 49-2018: Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on The Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of The Civil Rights Act of 1964”

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” as amended, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Borough Council of the Borough of Sea Girt, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley	X			
Councilman Meixsell	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilwoman Anthony	X			

C. Resolution No. 50 - 2018: Resolution Opposing the Proposed Extension of the Length of the Summer Season During which Seasonal Retail Consumption Licensees Could Sell Alcoholic Beverages

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

WHEREAS, The Borough of Sea Girt previously opposed the adoption of S2606 sponsored by Senator Patrick J. Diegnan, Jr. (District 18, Middlesex) and the companion bill A1850 sponsored by Assemblypersons Thomas P. Giblin (District 34, Essex and Passaic); Wayne P. DeAngelo (District 14, Mercer and Middlesex); Raj Mukherji (District 33, Hudson); Jamel C. Holley (District 20, Union), and co-sponsored by Assemblypersons Joseph V. Egan (District 17, Middlesex and Somerset); Craig J. Coughlin (District 19, Middlesex); Annette Quijano (District 20, Union); and Angelica Jimenez (District 32, Bergen and Hudson) that would extend by two months (from May 1 to March 1) the length of the summer season during which seasonal retail consumption licensees could sell alcoholic beverages; and,

WHEREAS, there is no valid basis to increase the term of the license; and,

WHEREAS, said extension would create undo hardship on the communities in which these eight (8) seasonal licenses exist, all of which are located in Monmouth County; and,

WHEREAS, the previously proposed time extension would in fact represent the de facto issuance of a use variance for those establishments that are located in a zone that does not permit the sale of alcoholic beverages, i.e., a residential zone, thereby disenfranchising the communities from regulating the existing non-conforming use and which in reality is an expansion of the non-conforming use, which is prohibited under the provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq.; and,

WHEREAS, the previously proposed time extension would increase the costs for police services in the municipalities where these non-conforming establishments exist as the municipality would be precluded from utilizing the services of part-time Special Law Enforcement Officers to assist regular

Police Officers in the enforcement of local ordinances and state statute and instead would have to appoint more full-time regular Police Officers; and,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt, that our opposition to the enactment of a time extension during which seasonal retail consumption licensees could sell alcoholic beverages be placed on the record.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be sent to Governor Murphy, Lt. Governor Oliver, Senator Stephen Sweeney, Senator Robert Singer, Assemblypersons Sean Kean and Ned Thompson; and David Rible, Director, Division of Alcoholic Beverage Control.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley	X			
Councilman Meixsell	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilwoman Anthony	X			

D. Resolution No. 51- 2018: Atlantic Resources Group, LLC t/a Reef and Barrel, outdoor deck use

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

WHEREAS, the Borough of Sea Girt entered into a settlement agreement with Atlantic Resources Group, LLC t/a Reef and Barrel (formerly Edgar’s) (hereafter “ARG”) on April 24, 2015 that imposed conditions limiting the use of an open-air rooftop deck to seasonal only between May 1 and September 30 of each year, among others; and,

WHEREAS, ARG has requested relief from the condition(s) limiting the use of its open-air rooftop deck to a seasonal basis to use of the rooftop deck whenever weather permits.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that, after due consideration and acknowledgement that there have been no difficulties associated with the use of the rooftop deck, the request of ARG for relief from the condition limiting the use of an open-air rooftop deck from a seasonal basis only to use of the rooftop deck whenever weather permits be and the same is hereby granted for a period commencing September 30, 2018 through September 30, 2019 after which time the use of the open-air rooftop deck shall be limited to the period of May 1 through September 30.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to:

1. James Kinneally, Esq., Attorney for ARG
2. Chief Davenport, Borough of Sea Girt Police Department
3. N. Montenegro, Esq., Borough Attorney for Sea Girt

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley	X			
Councilman Meixsell	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilwoman Anthony	X			

8. ADMINISTRATOR REPORTS/DISCUSSION

A. Public Works: Zones 1 and 2 trash pick-up will be completed on Thursday, March 29; no pick-up on Friday, March 30 (Borough offices closed);

B. Beach News:

1. **Dune Grass Planting Project**, has been rescheduled to April 7, 2018, 9:00 AM, meet at Philadelphia Blvd. entrance to the Beach (no rain date);
2. **2018 Season Beach Badges** are now available through Community Pass; check the Borough's website for the link under Recreation (top right of the home page);

C. Coffee with the Mayor, March 24, 2018, 9:00 AM Fire Hall;

D. Annual Easter Egg Hunt, March 24, 2018, 10:30 AM at the Library (rain date: March 25, 2018, 1:00 PM);

9. QPA REPORTS (of activity since previous Council Meeting): PAV-R-TEK, \$4,300.00, Life Guard Stand with steps per plan.

10. COUNCIL REPORTS – Councilperson Foley, Meixsell and Anthony had no reports.

Councilwoman Morris reported as follows:

- Police: The Borough received a \$6,400.00 for Distracted Driving Enforcement (i.e., drivers on phone, texting etc.); we thank Officer Zach Sherman for applying for the grant;
- Library: February monthly card holders: 888; monthly patrons: 433; children and adult programs continue to be successful;
- Mayor Farrell met with Friends of Library Committee to explain the process of withdrawing from the Monmouth County.

Councilman Mulroy reported as follows:

- Fire Department report from Chief Scipione: there have been practical drill training; FD is responding to over 120 calls per year; attendance for calls and drills is outstanding; 30 man hours on incidents, 73 hours on training since January.

Council President Fetzer reported as follows:

- Met with PBA on labor negotiations contract; making progress.

Mayor Farrell reported as follows:

- SMRSA: A bill was recently adopted imposing a 2% cap on authority budgets and also capped customer billing increases to 2%;
- Billing is based on the flows for each town participating in SMRSA; we have better infrastructure, more accurate flow rate;
- Regional Sewerage Authorities asked the DLGS to amend the statute.

11. Resolution No. 52-2018: Payment of bills

BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt that the bills be paid as appearing on the attached Bill Lists date March 8, 2018 in the totals as follows:

CURRENT FUND	\$ 118,132.97
WATER/SEWER OPERATING FUND	\$ 74,573.37
BEACH OPERATING FUND	\$ 6,552.52
TRUST FUND	\$ 16,689.25
RECREATION TRUST FUND	\$ 21,661.93
UNEMPLOYMENT TRUST	\$ 68.40
GENERAL CAPITAL	\$ 33,953.75
WATER CAPITAL	\$ 1,440.00

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley	X			
Councilman Meixsell	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilwoman Anthony	X			

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

Rick Bott, 617 Beacon Blvd. asked for an understanding of his step on Borough property. Mayor Farrell explains the issue is more complicated than previously thought and the appropriate mechanism to resolve this problem would be the adoption of an Ordinance.

Council President Fetzer noted that there have been several problems with this request and asked that there be a stay of the removal of the step until further discussed by Council. Councilwoman Morris explains that our Engineer and Attorney have recommended that the Council not allow this encroachment on Borough property. Councilman Foley noted that Council has to address current zoning issues. Mr. Bott asked if he could remove the steps and fill in the area with soil; Mrs. Carafa said this type of solution would need to be vetted by our Engineer, since it may require further determination by the DEP; Mrs. Carafa will arrange a meeting between our Engineer and our Zoning Officer to discuss the parameters of this proposed remediation, and notify the Bott's if this could be a suitable resolution.

There being no further comments, and by consensus, the public hearing was closed. Mayor Farrell advised that Council has matters to discuss in Executive Session, and requested a motion to adjourn for purposes of the discussion; he further noted that action may be taken by Council upon return to public session and that the public is invited to remain outside and may return to the meeting room when

the Council returns to public session. **UPON MOTION** of Councilman Foley, seconded by Councilwoman Anthony, carried, that the following **Resolution No. 53-2018** 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:
 - a. Ira Walker v. the Borough of Sea Girt, F. Ken Farrell, Individually and in his official capacity as Mayor; James Quigley, Individually and in his official capacity as Zoning and Code Enforcement Official (Note: complaints against Mayor Farrell and Mr. Quigley were dismissed by the Court on the motions for summary judgment filed by their respective Counsels);
 - b. Kenneth Hagel v. Kevin Davenport, Individually and in his official capacity as Chief of the Borough of Sea Girt Police Department; the Borough of Sea Girt Police Department and the Borough of Sea Girt;
 - c. Contractual matter.
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 Meixsell	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilwoman Anthony	X			

The Council returned to public session at 8:30 PM. The Clerk advised that Council had discussed the matters noted above in Executive Session and agreed to take action as follows:

- **Resolution No. 54-2018:** Appoint Special Council – ABC Matters

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

WHEREAS, the Borough of Sea Girt has a need to acquire services of a Special Counsel for ABC matters, through a non-fair and open contract pursuant to the provisions of *N.J.S.A.* 19:44A-20.4 or 20.5; and,

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

WHEREAS, Charles Sapienza, Esq. submitted a proposal dated March 8, 2018 indicating that he will provide said services and have provided a Business Entity Disclosure Certification which certifies that he has not made any reportable contribution to a political or candidate committee in the Borough of Sea Girt in the previous one year, and that the contract will prohibit each entity from making any reportable contribution through the term of the contract; and,

WHEREAS, the Chief Financial Officer has certified that provision for the contract shall be made in the appropriation Legal Services, Contractual in the 2018 Temporary Budget and 2018 Budget as finally adopted.

NOW THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Sea Girt authorizes the Mayor and Borough Clerk to enter into a contract with Charles Sapienza, Esq. at the rate of \$200/hour pursuant to the proposal submitted on March 8, 2018.

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

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley	X			
Councilman Meixsell	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilwoman Anthony	X			

There being no further business, and **UPON MOTION** of Councilman Mulroy, seconded by Council President Fetzer, carried, that the meeting be finally adjourned at 8:35PM.

Lorraine P. Carafa

LORRAINE P. CARAFA, RMC

P.O. Type: All
Range: First to Last
Format: Condensed

Open: N Paid: N Void: N
Rcvd: Y Held: Y Aprv: N
Bid: Y State: Y Other: Y Exempt: Y

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
16-01129	12/27/16	00392 LEON S. AVAKIAN INC.	GIS Infrastructure Map/Softwar	Open	1,440.00	0.00	B
17000017	01/12/17	00774 BOROUGH OF BRIELLE	Salt/Brine Interlocal	Open	6,179.21	0.00	B
17000093	01/12/17	CROSS01 Cross Over Networks	2017 IT services	Open	1,938.00	0.00	B
17000200	02/07/17	TENNISB Tennis Bookings	2017 Scheduling services	Open	50.00	0.00	
17001069	11/28/17	OCPA Ocean County Police Academy	Basic course registration	Open	1,600.00	0.00	
17001070	11/28/17	00330 MON. CTY. POLICE ACADEMY	Basic course registration	Open	2,400.00	0.00	
17001113	12/19/17	01912 STAPLES ADVANTAGE	Office supplies	Open	1.47	0.00	
17001118	12/20/17	FBI FBI - LEEDA	Registration j Macko	Open	650.00	0.00	
18-00009	01/10/18	00614 Optimum	2018 Service, Water DEPT.	Open	29.16	0.00	B
18-00028	01/12/18	00964 A'S GARDEN & HOME CENTER	2018 Misc Supplies	Open	104.79	0.00	B
18-00036	01/12/18	00008 AT&T	2018 Services	Open	59.34	0.00	B
18-00040	01/12/18	00774 BOROUGH OF BRIELLE	2018 Salt & Brine Interlocal	Open	8,166.04	0.00	B
18-00051	01/12/18	CONSTELL Constellation NewEnergy, Inc.	2018 Street lighting	Open	397.15	0.00	B
18-00058	01/12/18	00575 JASPAN HARDWARE	2018 Misc Supplies	Open	5.58	0.00	B
18-00060	01/12/18	00016 JERSEY CENTRAL POWER & LIGHT	2018 Service	Open	1,906.30	0.00	B
18-00061	01/12/18	00016 JERSEY CENTRAL POWER & LIGHT	2018 Service	Open	265.39	0.00	B
18-00062	01/12/18	00016 JERSEY CENTRAL POWER & LIGHT	2018 Service	Open	2,726.88	0.00	B
18-00063	01/12/18	00016 JERSEY CENTRAL POWER & LIGHT	2018 Services	Open	232.47	0.00	B
18-00064	01/12/18	00016 JERSEY CENTRAL POWER & LIGHT	2018 Services	Open	241.41	0.00	B
18-00065	01/12/18	00016 JERSEY CENTRAL POWER & LIGHT	2018 Service	Open	29.43	0.00	B
18-00066	01/12/18	00334 HOME DEPOT CREDIT SERVICES	2018 Misc Supplies	Open	317.90	0.00	B
18-00072	01/12/18	LEVEL3 Level 3	2018 Services	Open	931.31	0.00	B
18-00077	01/12/18	00040 MONMOUTH COUNTY TREASURER	2018 Tipping Fees	Open	3,348.46	0.00	B
18-00078	01/12/18	01166 MONTENEGRO, THOMPSON, ET ALS.	2018 Services	Open	7,328.66	0.00	B
18-00081	01/12/18	01258 NJ American Water	2018 Public Fire Service	Open	90.20	0.00	B
18-00082	01/12/18	00051 NJ NATURAL GAS CO.	2018 Service	Open	159.57	0.00	B
18-00085	01/12/18	01942 ONE CALL CONCEPTS	2018 Mark-out service	Open	37.50	0.00	B
18-00086	01/12/18	00068 OLD TOWNE CAR WASH	Car Washing	Open	64.00	0.00	B
18-00087	01/12/18	00614 Optimum	2018 Cable	Open	97.27	0.00	B
18-00090	01/12/18	RECOM ReCommunity Recycling	2018 Recycling	Open	818.33	0.00	B
18-00097	01/12/18	TU01 TransUnion Risk & Alternative	2018 Background Searches	Open	25.00	0.00	B
18-00102	01/12/18	00007 VERIZON	2018 Service	Open	304.60	0.00	B
18-00103	01/12/18	00007 VERIZON	2018 Service	Open	40.50	0.00	B
18-00104	01/12/18	00007 VERIZON	2018 Service	Open	106.61	0.00	B
18-00105	01/12/18	00007 VERIZON	2018 Service	Open	42.97	0.00	B
18-00106	01/12/18	00007 VERIZON	2018 Service	Open	381.64	0.00	B
18-00107	01/12/18	00349 VERIZON WIRELESS	2018 Service	Open	209.97	0.00	B
18-00130	01/18/18	CALIBRE Lifeline Training, Ltd. &	Course Registration	Open	229.00	0.00	
18-00150	01/24/18	00031 NJ GRAVEL & SAND CO.	3/8 Blue Stone	Open	1,420.00	0.00	
18-00157	01/24/18	01686 W.B. MASON COMPANY, INC.	Supplies	Open	85.00	0.00	
18-00158	01/25/18	01686 W.B. MASON COMPANY, INC.	Supplies	Open	27.10	0.00	
18-00161	01/25/18	AT 01 Atlantic Tactical	Belts	Open	300.00	0.00	
18-00182	01/26/18	00044 B & B TROPHY	Name plate, D Anthony	Open	27.00	0.00	
18-00183	01/26/18	PWANJ01 PWANJ	2018 Membership Dues, J McKitt	Open	75.00	0.00	
18-00191	01/30/18	CALIBRE Lifeline Training, Ltd. &	Course registration, W Joule	Open	229.00	0.00	
18-00199	02/02/18	MERCER Municipal Clerk's Assoc. of	2018 Mini Conference	Open	20.00	0.00	
18-00207	02/05/18	01396 TRIUS INC.	Bearing	Open	84.02	0.00	
18-00214	02/06/18	MERGNER Theresa L Mergner	Easter Egg Hunt, face painter	Open	350.00	0.00	
18-00215	02/06/18	MCFPPA Monmouth Co. Fire Prevention	2018 Dues	Open	30.00	0.00	
18-00216	02/09/18	JPMONZO J P Monzo Municipal Consulting	webnar registration E Hudson	Open	50.00	0.00	

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	
18-00227	02/15/18	00774	BOROUGH OF BRIELLE Diesel Pump repair, Interlocal	Open	171.48	0.00		
18-00228	02/15/18	01786	TOWNSHIP OF WALL Membership dues	Open	160.00	0.00		
18-00237	02/16/18	JCD01	Jersey Cape Diagnostics 2018 Beach Badgesd	Open	1,429.72	0.00		
18-00242	02/16/18	BOND01	Davison, Eastman & Munoz PA Conflict resolution	Open	70.00	0.00		
18-00243	02/16/18	01155	NJ WATER ASSOCIATION 2018 Dues	Open	385.00	0.00		
18-00262	02/27/18	REDALER	Red Alert Emergency Generator Repair to well #5	Open	220.00	0.00		
18-00264	02/27/18	IMC01	Interstate Mobile Care Audio testing	Open	613.00	0.00		
18-00265	02/27/18	01568	NJ DEPT. OF LABOR & WORKFORCE Reimbursable charges	Open	68.40	0.00		
18-00271	02/28/18	00530	FIRE SECURITY TECHNOLOGIES,INC repair	Open	240.00	0.00		
18-00272	02/28/18	00392	LEON S. AVAKIAN INC. Engineering	Open	1,923.75	0.00		
18-00273	02/28/18	00392	LEON S. AVAKIAN INC. Engineering	Open	7,752.50	0.00		
18-00274	02/28/18	00392	LEON S. AVAKIAN INC. Engineering	Open	6,824.40	0.00		
18-00275	02/28/18	00392	LEON S. AVAKIAN INC. Engineering	Open	130.00	0.00		
18-00276	02/28/18	00392	LEON S. AVAKIAN INC. Engineering	Open	33,953.75	0.00		
18-00278	02/28/18	00392	LEON S. AVAKIAN INC. Baltimore Park Open Space Imp	Open	21,632.50	0.00		
18-00282	03/01/18	00392	LEON S. AVAKIAN INC. Engineering/zoning	Open	25,241.25	0.00		
18-00283	03/01/18	DOWICZ	Christopher & Virginia Dowicz Refund PB escrow balance	Open	2,804.00	0.00		
18-00313	03/06/18	00090	SOUTH MON. REG. SEW. AUTHORITY 2018 Sewer charges	Open	70,861.50	0.00	B	
18-00314	03/06/18	01809	BOROUGH OF SEA GIRT 2018 water bills	Open	4,801.90	0.00	B	
18-00315	03/06/18	00058	GARY RICE Reimbursement, CDL License	Open	42.00	0.00		
Total Purchase Orders:		70	Total P.O. Line Items:	0	Total List Amount:	224,978.38	Total Void Amount:	0.00

State of New Jersey

Health Benefits
Total

48,145.28
273,123.66

Totals by Year-Fund

Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	7-01	44,946.12	1.47	44,947.59	0.00	0.00	44,947.59
BEACH OPERATING	7-09	4,499.75	0.00	4,499.75	0.00	0.00	4,499.75
TRUST OTHER	7-25	5,719.21	0.00	5,719.21	0.00	0.00	5,719.21
BOARD OF RECREATI	7-26	21,632.50	50.00	21,682.50	0.00	0.00	21,682.50
UNEMPLOYMENT COMP	7-30	68.40	0.00	68.40	0.00	0.00	68.40
Year Total:		76,865.98	51.47	76,917.45	0.00	0.00	76,917.45
		73,186.85					
CURRENT FUND	8-01	25,041.57	0.00	25,041.57	0.00	0.00	25,041.57
WATER OPERATING	8-05	74,573.37	0.00	74,573.37	0.00	0.00	74,573.37
BEACH OPERATING	8-09	2,052.77	0.00	2,052.77	0.00	0.00	2,052.77
TRUST OTHER	8-25	10,970.04	0.00	10,970.04	0.00	0.00	10,970.04
BOARD OF RECREATI	8-26	29.43	0.00	29.43	0.00	0.00	29.43
Year Total:		112,667.18	0.00	112,667.18	0.00	0.00	112,667.18
GENERAL CAPITAL	C-04	33,953.75	0.00	33,953.75	0.00	0.00	33,953.75
WATER CAPITAL	W-06	1,440.00	0.00	1,440.00	0.00	0.00	1,440.00
Total of All Funds:		224,926.91	51.47	224,978.38	0.00	0.00	224,978.38
		273,072.19					