

AGENDA - REGULAR MEETING
February 27, 2019

1. **CALL TO ORDER AT 7:00 PM**
2. **MOMENT OF SILENCE**
3. **SALUTE TO THE FLAG**
4. **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.

5. **ROLL CALL:**

	Present	Absent
Mayor Farrell		
Councilman Foley		
Councilman Meixsell		
Councilwoman Morris		
Council President Fetzer		
Councilman Mulroy		
Councilwoman Anthony		

6. **PUBLIC PARTICIPATION ON ANY CONSENT AGENDA ITEM** (Comments limited to 7 minutes)
7. **CONSENT AGENDA - Resolution No. __-2019:** (All matters listed hereunder are considered to be routine in nature and will be enacted in one motion. Any person may request that an item be removed for separate consideration).
 - Authorize participation in Clean Ocean Action Spring and Fall Beach Sweeps, April 13 and October 26, 2019, respectively, from 9:00 am to 12:30 pm, subject to submission of certificate of Insurance naming the Borough as an additional insured;
8. **APPROVE MINUTES**
 - A. **Resolution No. __-2019:** Approve Minutes, Special Meeting held February 1, 2019 (Councilpersons Foley, Fetzer and Morris do not vote)
 - B. **Resolution No. __-2019:** Approve Minutes, Regular Meeting held January 23, 2019
9. **OPEN DISCUSSION** (Council is invited to speak on any subject)
10. **OLD BUSINESS - None**
11. **NEW BUSINESS**
 - A. **ORDINANCES** – introduction
 1. **Ordinance No. 04-2019:** The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 04-2019
AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF
CHAPTER XX, FIRE PREVENTION AND PROTECTION OF THE BOROUGH CODE
OF THE BOROUGH OF SEA GIRT, MONMOUTH COUNTY

- Motion to adopt the said Ordinance on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as March 13, 2019.
2. **Ordinance No. 05-2019:** The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 05-2019
AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 12-2,
CONSTRUCTION PROCEDURE AND SITE REGULATION, SUBSECTION 12-2.2
ADDITIONAL REGULATIONS OF CHAPTER XII, BUILDING AND HOUSING IN
THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH

- Motion to adopt the said Ordinance on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as March 13, 2019.
3. **Ordinance No. 06-2019:** The Mayor to read the said Ordinance by Title:

BOND ORDINANCE NO. 06-2019
BOND ORDINANCE PROVIDING FOR VARIOUS 2019 CAPITAL
IMPROVEMENTS, BY AND IN THE BOROUGH OF SEA GIRT, IN THE COUNTY
OF MONMOUTH, STATE OF NEW JERSEY (THE "BOROUGH");
APPROPRIATING \$565,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF
\$446,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE
COSTS THEREOF

- Motion to adopt the said Ordinance on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as March 13, 2019.
4. **Ordinance No. 07-2019:** The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 07-2019
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VII, TRAFFIC,
ARTICLE 7-37, LOADING ZONES; ARTICLE 7-38, TAXI STAND AND ARTICLE 7-
39.1, HANDICAPPED PARKING, OF THE BOROUGH CODE OF THE BOROUGH OF
SEA GIRT"

- Motion to adopt the said Ordinance on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as March 13, 2019.
5. **Ordinance No. 08-2019:** The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 08-2019
AN ORDINANCE PROVIDING FOR THE PURCHASE OF EQUIPMENT FOR THE
BOROUGH OF SEA GIRT POLICE DEPARTMENT AND IMPROVEMENTS TO THE
DPW CAMPUS, PROVIDING FOR THE COST THEREOF FROM THE CAPITAL
IMPROVEMENT FUND OF THE BOROUGH OF SEA GIRT, COUNTY OF
MONMOUTH, NEW JERSEY

- Motion to adopt the said Ordinance on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as March 13, 2019.

6. **Ordinance No. 09-2019:** The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 09-2019
AN ORDINANCE PROVIDING FOR THE PURCHASE OF EQUIPMENT FOR THE WATER-SEWER UTILITY AND SECURITY UPGRADES TO CRITICAL INFRASTRUCTURE PROVIDING FOR THE COST THEREOF FROM THE WATER-SEWER UTILITY CAPITAL IMPROVEMENT FUND OF THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH, NEW JERSEY

- Motion to adopt the said Ordinance on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as March 13, 2019.

7. **Ordinance No. 10-2019:** The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 10-2019
AN ORDINANCE PROVIDING FOR INFRASTRUCTURE IMPROVEMENTS AND PROVIDING FOR THE COST THEREOF FROM THE BEACH UTILITY CAPITAL IMPROVEMENT FUND OF THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH, NEW JERSEY

- Motion to adopt the said Ordinance on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as March 13, 2019.

8. **Ordinance No. 11-2019:** The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 11-2019
AN ORDINANCE TO REALLOCATE A PORTION OF THE BALANCE OF GENERAL CAPITAL IMPROVEMENT AUTHORIZATION ENTITLED "IMPROVEMENTS TO OCEAN AVENUE" NOT NEEDED FOR ITS ORIGINAL PURPOSE TO THE NEW PROJECT IMPROVEMENTS TO WASHINGTON BOULEVARD AND EIGHTH AVENUE IN THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH, NEW JERSEY AND CANCEL THE REMAINING BALANCE TO THE ORIGINAL SOURCE OF FUNDS

- Motion to adopt the said Ordinance on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as March 13, 2019.

9. **Ordinance No. 12-2019:** The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 12-2019
AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VI, ALCOHOLIC BEVERAGE CONTROL ADDING SECTION 6-7 OF THE CODE OF THE BOROUGH OF SEA GIRT ENTITLED "EMPLOYEE REGULATIONS IN FACILITIES HOLDING A PLENARY RETAIL CONSUMPTION LICENSE, PLENARY RETAIL DISTRIBUTION LICENSE, AND/OR SEASONAL RETAIL CONSUMPTION LICENSE FOR ALCOHOLIC BEVERAGES"

- Motion to adopt the said Ordinance on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as March 13, 2019.

B. Resolution No. __-2019: Approve/deny permit waiver, Block 9, Lot 6.01

- C. Resolution No. __-2019:** Approve/deny refund of a Permit Fee, Block 74, Lot 12
(Please note that our Ordinance does not allow refunding of permit fees)
- D. Resolution No. __-2019:** Authorize Refunds, Planning Board Escrow Fee Balances
- E. Resolution No. __-2019:** Authorize Payment No. 3, Thor Construction Group, LLC for the Project known as Improvements to Baltimore Park, \$10,584.00
- F. Resolution No. __-2019:** Authorize Change Order and Supplemental Agreement No. 1 and Payment No. 1 to Shore Top Construction Corporation, Farmingdale, NJ for the Project Known as Improvements to Carriage Way, \$101,038
- G. Resolution No. __-2019:** Memorialize appointment of Basketball Program Timekeeper, Grace Peterson
- H. Resolution No. __-2019:** Cancel outstanding check
- I. Resolution No. __-2019:** Authorize Renewal of the Franchise Agreement with New Jersey Natural Gas Company
- J. Resolution No. __-2019:** Approve purchase of trash and recycling receptacles from Treetop Products, Inc. (\$48,687.12)
- K. Resolution No. __-2019:** Approve additional services from Crossover Networks at the total cost of \$5,628.79 (PD network storage upgrade; Borough-wide server backup services and e-mail archive services pursuant to cybersecurity best practices)
- L. Resolution No. __-2019:** Improvements to Carriage Way Sanitary Sewer – Bids received on February 21 and reviewed by Borough Engineer; recommend award to National Water Main Cleaning Co., Kearny, NJ.

VENDOR	BID
National Water Main Cleaning, Co., Kearny, NJ	\$74,401.25
EN-TECH Corp., Closter, NJ	\$104,200.
North American Pipeline Services, LLC, Freehold, NJ	\$113,497.

12. ADMINISTRATOR REPORTS/DISCUSSION

- Proposed Ordinance revision included for information purposes; if acceptable, Ordinance will be listed for action at the March 13 meeting of Council:

To amend and supplement Chapter XVII, Zoning, Article 17-2, Definitions and Article 17-5, General Regulations, of the Borough Code of the Borough Of Sea Girt, would alter or amend provision allowing for chimneys projecting 18” or less to encroach on the setback;

- Legislation raising the minimum wage to \$15/hour by 2024 was signed by the Governor on February 4; on July 1, 2019, the minimum wage will increase by 13% to \$10/hour on with another 10% increase to \$11/hour on July 1, 2020, followed by yearly increases thereafter to \$15/hour on July 1, 2024. There are exemptions in the bill for seasonal workers or workers employed in a recreational program running between May 1 to September 30 employed by a government entity and workers under 18 without a special vocational school graduate (work) permit. Wages for seasonal employees increased to \$8.85/hour on January 1, 2019; thereafter, wages will increase on January 1, 2020 to \$10.30/hour; thereafter, the wages increase annually until they reach \$15.00/hour in 2026. At a minimum, our program fees, including fees for beach badges, will have to increase in 2020 to accommodate these changes.

- Bulk pickup – Monday, March 11, 2019

14. **QPA REPORTS:** Awards:

- Oswald Enterprises, Inc. for TV Inspection of Sanitary Sewer lines on Washington Boulevard; \$5,709 per proposal;
- Allan Klein, PE, for structural inspection/report of Library and Municipal Building, not to exceed \$1,840 per proposal;
- Dynamic Testing Service, drug and alcohol testing provider, per test or specimen fee
- BRB Valuation and Consulting Services, LLC, appraisal of Borough property, \$2,500

15. **COUNCIL REPORTS**

16. **Resolution No. __-2019:** Payment of bills

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

18. **Resolution No. __-2019: Executive Session, if necessary** to update Council on proceedings in any or all of the following matters; please note that action may be taken by Council upon return to public session. The public is invited to remain outside and may return to the meeting room when the Council returns to public session.

- 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.

19. **ADJOURN**