

## MINUTES - REGULAR MEETING

June 12, 2019

The rescheduled Regular Meeting of the Borough of Sea Girt Council was called to order by Mayor F. Ken Farrell at 6:30 PM on Wednesday, June 12, 2019 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.

The Municipal 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:

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

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 until the Council returns to public session. **UPON MOTION** of Councilman Meixsell, seconded by Councilwoman Morris, carried, that the following **Resolution No. 99-2019** 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. 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;
2. 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;
3. Tess and Brian Manley, Denis Lauzon and Candace Kadimik vs. the Borough of Sea Girt, Sandy Ratz and Christopher Willms

### Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	x			
Councilman Meixsell	x			
Councilwoman Morris	x			
Council President Fetzer			x	
Councilman Mulroy			x	
Councilwoman Anthony	x			

MINUTES – REGULAR MEETING  
June 12, 2019

---

Council President Fetzer arrived at 6:35 pm.

**UPON MOTION** of Councilman Mulroy, seconded by Councilwoman Morris, carried that Council return to public session at 7:15 PM.

Recorded Vote:

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

Mayor Farrell asked for a moment of silence in memory of Sandy Ratz who was a life-long resident and longtime Borough Construction Official who passed away suddenly this week.

1. **PRESENTATION** to Kurt Sackariassen from the Recreation Commission

Mr. D'Altrui presented a plaque to Mr. Sackariassen, thanking him for his 10 years of dedicated service to the Recreation Commission and his efforts in organizing and coordinating the Halloween Hayride. Mr. Sackariassen thanked Patty Peterson and all other volunteers. He also thanked Mayor Farrell and Councilmembers and also the Police Department for keeping everyone safe; he added that he supports The Parker House.

2. **Resolution No. 101-2019:** Memorialize Action taken in Executive Session

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

**WHEREAS**, as a result of obtaining information from Special Counsel Sapienza, the governing body acting as the Alcoholic Beverage Control Board in the Borough of Sea Girt hereby directs special counsel Sapienza to proceed as discussed in executive session including the filing and serving of all appropriate documents with regard to the operation of the Avon Hotel Corporation t/a The Parker House.

**NOW, THEREFORE BE IT RESOLVED**, by the Council of the Borough of Sea Girt that a certified copy of this Resolution shall be supplied to Charles Sapienza, Esq. for his information.

Recorded Vote:

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

3. **MINUTES**

A. **Resolution No. 102-2019:** Approve Minutes, Regular Meeting held May 22, 2019

**UPON MOTION** of Councilwoman Morris, seconded by Councilman Mulroy, carried, that the Minutes of the Regular Meeting held May 22, 2019 be and the same are hereby approved.

**Recorded Vote:**

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

**4. OPEN DISCUSSION -**

Mayor Farrell read the following statement regarding the recent decision rendered in the Hagel v. the Borough of Sea Girt and Chief Kevin Davenport:

While the Borough of Sea Girt respects and supports our judicial system, it is disappointed in the jury's verdict in the litigation with retired Officer Ken Hagel. The majority of his complaint was dismissed prior to trial, including all claims of harassment and hostile work environment, with the judge concluding, based on the evidence provided, that the incidents alleged were never complained about, were too remote, i.e., occurred (and ended) too long before the promotion process started to support a cause of action and were not severe or pervasive enough to support his (Hagel's) claims. Similarly, all claims against Chief Kevin Davenport were also dismissed. The only issue tried was Hagel's claim that the Borough failed to promote him in 2014 notwithstanding his admission that he had never applied for the promotion. Given the undisputed evidence presented at trial regarding his failure to apply for the promotion, the Borough maintains that the court's and the jury's findings are against the evidence. Further, the punitive damages award is inconsistent with the prior court determination that the hostile work environment claims, which were dismissed in 2018, were not severe or pervasive. Therefore, the Borough will exercise its right to appeal the verdict and the excess damages award. The Borough continues its unwavering support of Chief Davenport and the officers of the Sea Girt Police Department.

Mayor Farrell then read a letter from Monmouth County Engineer, Joseph Ettore regarding the use of First Avenue as the passenger loading zone, which he indicated "cannot be implemented in accordance with current design standards"; a copy of the letter is attached to the Minutes.

**5. OLD BUSINESS**

**A. ORDINANCE NO. 17-2019: UPON MOTION** of Councilman Mulroy, seconded by Council President Fetzer, carried that Ordinance No. 17-2019 be tabled as it is being replaced by Ordinance No. 18-2019.

**Recorded Vote:**

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

**6. NEW BUSINESS**

**A. ORDINANCES – introduction**

- 1. 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, AND ARTICLE 7-39.1, HANDICAPPED PARKING, OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT**

**WHEREAS**, the Borough Council of the Borough of Sea Girt has determined that the designation of a loading zone on Ocean Avenue near Beacon Boulevard is necessary to preserve and protect the safety and well-being of the general public.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of Sea Girt as follows:

**SECTION 1. Article 7-37, LOADING ZONES**, is hereby amended and supplemented as follows:

- a. The locations described are hereby designated as Loading Zones. No person shall park a vehicle in these locations during the times indicated other than for the loading or unloading of passengers, goods and materials.

<i>Name of Street</i>	<i>Time</i>	<i>Side</i>	<i>Location</i>
Ocean Avenue	24 hours per day for the period May 1 through September 15 of each year	East side	Beginning at a point 19 feet south of the southern crosswalk marking of Beacon Blvd. south for a distance of 129 feet

- b. The Chief of Police is hereby designated to prepare a report to be presented to Council in October of each year providing an analysis of the efficacy of the Loading Zone during the previous period from May 1 through September 15, inclusive. The Council will vote annually on this matter during January of the succeeding year.

**SECTION 2. Article 7-39 HANDICAPPED PARKING**, is hereby amended and supplemented as follows:

**7-39.1 Handicapped Parking on Streets**

In accordance with the provisions of *N.J.S.A. 39:4-197*, the following on street locations are designated as handicapped parking places. Such spaces are for use by persons who have been issued special identification cards or plates or placards by the Motor Vehicle Commission, or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these spaces. (Ord. No. 567; Ord. No. 861; Ord. No. 13-2010 § 2)

Ocean Avenue	East	2	Beginning at a point 26 feet north of the northern crosswalk marking of Beacon Boulevard and extending to a point 36 feet north thereof
--------------	------	---	---

**SECTION 3.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 4.** 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 5. Effective Date**

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

Council President Fetzer added that the continuation of the loading zone on Ocean Avenue is for safety purposes as recommended by the Police Chief and Mr. McCormack of Dynamic Traffic and suggested that the Borough continue to look for alternatives.

Councilman Mulroy stated that he is opposed to the loading zone as currently configured; it should not be used 24/7 but stated that he will vote in favor of the Ordinance as it requires an annual review by the Chief and Council and that he supports moving the handicapped parking spot.

Councilwoman Anthony noted that the parking spots belong to the residents of the Borough; she would like to limit use to weekends only; she would support this in lieu of other alternatives such as offered by The Parker House Management.

Councilman Clemmensen noted that in his opinion, the loading zone 24/7 is too excessive; continue to look for alternatives; he concurs with Councilwoman Anthony.

Councilman Meixsell noted he supports the use of the loading zone during the day as it is also used for beach and evening for other purposes.

Mayor Farrell noted he is totally opposed to using First Avenue as the alternative loading zone; noting that he saw an accident at the intersection of First Avenue and Beacon Boulevard that occurred during the day, and reiterating his opinion that using First Avenue is not safe.

Councilman Mulroy noted that the zone is in place; if there is a vote against this Ordinance, the annual review will be eliminated and the relocation of the handicapped spot to a more suitable location will also be lost.

Councilwoman Morris stated safety comes first; Police Chief and Traffic Consultant recommended the location as the safest option given the situation that exists.

**UPON MOTION** of Councilman Meixsell, seconded by Councilwoman Morris, carried, that the said Ordinance be and the same is hereby adopted on first reading, direction the Clerk to post and publish as required by law and setting the date of the public hearing as June 26, 2019.

Recorded Vote:

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

**B. Introduction - Ordinance No. 18-2019:** The Mayor to read the said Ordinance by Title:

**ORDINANCE NO. 18-2019**

**AN ORDINANCE TO AMEND AND SUPPLEMENT ARTICLE 3-1, NOISE, OF  
CHAPTER III, POLICE REGULATIONS OF THE BOROUGH CODE OF THE  
BOROUGH OF SEA GIRT**

**WHEREAS**, the Borough Council of the Borough of Sea Girt has determined that Article 3 of Chapter III must be revised and supplemented.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of Sea Girt as follows:

**SECTION 1. Article 3.1.1, Definitions**, is hereby amended and supplemented as follows:

**3-1.1 Definitions.**

As used in this section:

**Commercial operator** shall mean anyone performing construction and/or landscaping on a property other than the property owner and/or their immediate family.

**Construction** shall mean the construction, erection, reconstruction, alteration, conversion, demolition, removal, repair, painting or equipping of buildings or structures.

**Construction equipment** shall mean equipment which may be mobile, semi-permanent, or permanent, intended for heavy work such as earthmoving, lifting containers or materials, drilling holes in earth or rock, or concrete or paving application.

**Person** shall mean and include the singular and the plural and shall also mean and include any person, firm, corporation, association, club, partnership, society or any other form of association or organization.

**Power equipment** shall mean equipment actuated by an additional power source and mechanism other than the solely manual labor used with hand tools.

**Sound-Amplifying Equipment** shall mean any machine or device for the amplification of the human voice, music or any other sound.

**Sound Truck** shall mean any type of vehicle, car, wagon, carriage or other means of transportation or locomotion, having mounted thereon or attached thereto any sound-amplifying equipment.

**SECTION 2. 3-1.2 Noise Prohibited** is hereby amended and supplemented as follows:

a. The creation of any unreasonably loud, disturbing and unnecessary noises in the Borough shall be considered a nuisance and is hereby prohibited. There is further prohibited any noise of such character, intensity or duration as is detrimental to the life, health or well-being of any individual.

b. It shall be unlawful for any person to make, continue, or cause to be made or continued, or for any person to permit, allow or suffer on premises in their control, any loud, disturbing or excessive noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the Borough.

c. No persons shall use, or cause to be used, a sound truck with its sound-amplifying equipment in operation, in the Borough.

**SECTION 3. 3-1.3 Specific Noise Nuisances Prohibited** is hereby amended and supplemented as follows:

a. The following acts, among others, but not by way of limitation, are declared to be loud, disturbing and unnecessary noises in violation of this section but the following enumeration shall not be deemed to be exclusive:

1. Horns, Signaling Devices, etc. The sounding of any horn or signaling device of any automobile, motorcycle, bus or other vehicle on any street or public place of the Borough, except as a danger warning; the creation by means of any horn or signaling device of any unreasonably loud or harsh sound, or the sounding of said horn or signaling device for any unnecessary and unreasonable period of time.

2. Radios, Televisions, Amplifiers and Similar Devices. The playing, use or operation of any radio receiving set, television, musical instrument, amplifier, phonograph or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of neighboring inhabitants or with louder volume than is necessary for convenient hearing for persons who are in the room, vehicle or chamber in which the machine or device is operated and who are voluntary listeners. The operation of such a set, instrument, amplifier, phonograph, machine or device so that it is clearly audible at a distance of one hundred (100') feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.

3. Yelling, Shouting, etc. Yelling, shouting, hooting, or singing after the hour of 10:00 p.m. and before 8:00 a.m. or at any time or place, so as to annoy and disturb the quiet, comfort or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.

4. Use of power equipment not limited to landscaping equipment (including lawn mowers, blowers, edgers, clippers and saws) or construction equipment is regulated during the following times:

(a) Property owners and/or their immediate family members are permitted to perform construction or landscaping work between 8:00 a.m. and 6:00 p.m. on weekdays or between 9:00 a.m. and 5:00 p.m. on weekends and the public holidays of New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving, and Christmas.

(b) Commercial operators are permitted to provide their services between 8:00 a.m. and 6:00 p.m. on weekdays or between 9:00 a.m. and 5:00 p.m. on Saturdays.

(c) Except in the case of an emergency, commercial operators are prohibited from providing their services on Sundays or on the public holidays of New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving, and Christmas. Commercial operators are also prohibited from providing their services on Saturday's beginning with the Saturday of Memorial Day weekend and through Labor Day, inclusive.

5. Music or other amplified sound emanating from a vehicle which is plainly audible at a distance of fifty (50) feet in any direction from the vehicle.

6. The frequent or habitual howling, barking, meowing or other noise-making by an animal.

b It shall be presumed that if any of the noises referred to in paragraphs a,2 and a,3 of this subsection are emanating from any building, house or yard and are audible to persons passing on the street on which such building, house or yard is located, that such noise or noises disturbs the comfort, repose and health of others and the peace of the neighborhood.

**SECTION 4. 3-1.4 Enforcement** is hereby amended and supplemented as follows:

It shall be the duty of the Chief of Police, members of the Police Department and Code Enforcement Officer to determine if this section has been and is being complied with and to enforce the provisions of this section, against any person found to be violating the same. (Ord. No. 307; Ord. No. 597 § 5)

**3-1.5 Violations and Penalties.**

The Chief of Police, any Police Officer of the Borough, the Code Enforcement Officer, or any taxpayer or resident of the Borough may make complaint in the Municipal Court of the Borough of Sea Girt for any violation of this section or any subsection, or provision thereof. Unless a specific penalty is established below, any person violating any provision of this section shall, upon conviction, be subject to the penalty stated in Chapter I, Section 1-5. (Ord. No. 597 § 6; Ord. No. 708 § 1; New; Ord. No. 09-2014)

Borough Code	Description	Fine	Payable*
3-1	Noise	1st \$250.00	No
		2nd \$500.00	No
		3rd \$2,000.00	No
3-1.2	Disturbing the peace	1st \$250.00	No
		2nd \$500.00	No
		3rd \$2,000.00	No
3-1.3	Unnecessary noise	1st \$250.00	No
		2nd \$500.00	No
		3rd \$2,000.00	No

\*Payable without court appearance.

**SECTION 5.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.



**SECTION 6.** 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 7. Effective Date**

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

Council President Fetzer noted he doesn't like the terminology "plainly audible" as it is too subjective;

Councilwoman Anthony noted that she concurs with Council President Fetzer that this is still too subjective; she would prefer an objective method of measuring the noise.

Councilman Meixsell noted decibel levels could be used as a measurement, but then the Borough must comply with the DEP standards that may be considered too high to effectively limit noise.

Councilman Mulroy noted that since the appellate division has upheld Ordinances from other municipalities that use this language as this seems to be a more objective standard.

**UPON MOTION** of Councilman Mulroy, seconded by Councilwoman Morris, carried, that the said Ordinance be and the same is hereby adopted on first ready, directing the Clerk to post and publish as required by law and setting the date of the public hearing as June 26, 2019.

**Recorded Vote:**

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

**C. Resolution No. 103-2019: 2019-2020 ABC License Renewal, Jo Yo LLC, t/a Egan's Sea Girt Wines and Spirits, LLC**

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

**WHEREAS**, an application for renewal of Plenary Retail Distribution License #1344-44-005-007 has been submitted by JO YO, LLC t/a Egan's Sea Girt Wines And Liquors, to the State of New Jersey, Alcohol Beverage Control Commission with the required State fee of \$200; and,

**WHEREAS**, the applicant has remitted the required Municipal fee of \$1,288.94 to the Borough of Sea Girt; and,

**WHEREAS**, the Tax Clearance Certificate has been issued by the State of New Jersey.

**NOW, THEREFORE BE IT RESOLVED** that the Plenary Retail Consumption License #1344-44-004-007, issued to JO YO, LLC t/a Egan's Sea Girt Wines And Liquors, for the premises located at 527 Washington Boulevard, Sea Girt, New Jersey be and the same is hereby approved for renewal for the period July 1, 2019 through June 30, 2020, inclusive.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be submitted to the State of New Jersey and supplied to the applicant for its information and files

Recorded Vote:

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

**D. Resolution No. 104-2019: Appoint Summer Recreation Volleyball Staff**

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

**WHEREAS**, the Borough of Sea Girt is in need of the services an instructors and trainers for the Recreation Volleyball Program.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Sea Girt that the following appointments be approved at the hourly rates shown below for no more than 2.5 hours per session for 12 sessions for instruction for the volleyball programs:

**Volleyball Instructor**, Kerry Curran, at the rate of \$24.00 per hour;  
**Assistant Instructors**, Scott Zimms at the rate of \$20.00 per hour  
**Trainers**, Owen Rigney and Jack Geiger at the rate of \$14.00 per hour;

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be supplied to the Chief Financial Officer for his information and further action.

Recorded Vote:

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

**E. Resolution No. 105-2019: Authorize the Issuance of Taxi Owner License for Isabella's Taxi & Rideshare, LLC**

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

**WHEREAS**, the Borough of Sea Girt has previously adopted Ordinance No. 13-2009, as amended by Ordinances No. 24-2009 & No. 19-2010, respectively, authorizing the issuance of taxi licenses in the Borough; and,

**WHEREAS**, the number of taxi/autocab owners' licenses that may be issued in any one year shall not exceed fifteen (15) unless duly authorized by Mayor and Council; and,

**WHEREAS**, the licenses set forth on the attached list shall expire on October 31, 2019; and,

**NOW, THEREFORE BE IT RESOLVED**, by the Council of the Borough of Sea Girt that licenses for 2019 be approved for the taxi/autocab owner Isabella's Taxi and Rideshare LLC.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Melxell	X			
Councilwoman Morris	X			
Council President Fetzner	X			
Councilman Mulroy	X			
Councilwoman Anthony	X			

- F. Resolution No. 106-2019:** Sale of public property (revoke Resolution No. 75-2019; revise minimum acceptable bids)

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

**WHEREAS**, *N.J.S.A.* 40A:12-13(a) authorizes a governmental unit to sell any real property, not needed for public use, by open public sale at auction to the highest bidder, after the required advertisements subject to the following terms and conditions hereinafter set forth pursuant to *N.J.S.A.* 40A:12-13; and,

**WHEREAS**, the Borough is the owner of real property identified as Block 81, Lot 1 ("the Property") on the Official Tax Map of the Borough of Sea Girt; and,

**WHEREAS**, the Governing Body has determined that the property is not needed for public use.

**WHEREAS**, the Governing Body adopted Resolution No. 75-2019 on May 1, 2019 setting the minimum acceptable bid price for the property.

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

- (a) The Governing Body hereby revokes Resolution No. 75-2019 in its entirety.
- (b) The Governing Body hereby declares that the property is no longer needed for public use (vacant) and shall be sold in accordance with *N.J.S.A.* 40A:12-13(a), et seq.

(c) There shall be an open public sale at auction on a date and time to be determined by the Borough Council at the Borough of Sea Girt Municipal Building, 321 Baltimore Blvd., Sea Girt, NJ 08750, where the property shall be offered to the highest bidder pursuant to *N.J.S.A.* 40A:12-13(a).

The Borough hereby designates Lorraine P. Carafa, Business Administrator, or such other person the Borough Administrator designates to conduct the sale of the parcel.

Bids may be submitted, in writing, in advance of the auction or interested persons may attend the auction to present bids.

(d) The Borough shall sub-divide the existing Lot 1 consisting of 27,241 sq. ft. into two (2) lots as follows: Lot 1.01, 15,617 sq. ft.; Lot 1.02, 11,662 sq. ft. pursuant to the survey prepared by the firm of Leon S. Avakian, Inc. The minimum bid for Lot 1.01 shall be eight hundred fifty thousand dollars (\$850,000); the minimum bid for Lot 1.02 shall be eight hundred thousand dollars (\$800,000).

(e) Pursuant to *N.J.S.A.* 40A:12-13(a), the Borough of Sea Girt shall either accept the highest responsible bid or reject all bids. No bid shall be fully accepted until the passage of a Resolution by the Borough Council as set forth herein.

(f) The successful bidder shall be required to deposit ten (10%) percent of his or her bid with the Borough at the time of the auction. This deposit shall be made by a certified check, money order or cash in an amount equal to at least ten (10%) percent of the accepted bid by the Borough for the sale of the property. The combined form of deposit must equal ten (10%) percent of the total sale price. All monies so received will be credited to the total sale price, with the remaining monies due on delivery of the Deed.

(g) The Borough disclaims any and all implied warranties of habitability or usability with respect to the parcel. The highest bidder shall purchase the parcel in an "as is" condition, having had ample and sufficient opportunity to inspect said premises, examine its title, and review municipal ordinances and laws affecting the Parcel. The Borough makes no representation regarding the property as to its character, value, quality, habitability or environmental conditions. The highest bidder, after closing, shall be responsible for all defects of any kind in the parcel. This agreement shall survive the closing of title.

(h) Non-Refundable Deposit. The deposit made by the purchaser is non-refundable. The purchaser is not entitled to a refund of this deposit in any case and the risk of loss is on the purchaser.

(i) All bidders must appear in person at the auction or by sealed bid and any person bidding on behalf of a corporation or limited liability company must either submit a copy of a resolution of the corporation/company or a letter on corporate stationery, signed by an officer of the corporation, authorizing the bidder to bid on the property on the corporation's behalf. A person bidding on behalf of a partnership or using a trade name must submit a copy of the certificate of trade name and a letter of authorization from the other partners. No other bidder may submit a bid on behalf of another, except that a husband or wife may bid on behalf of both.

(j) The successful bidder, within two weeks of the conclusion of the bidding, shall execute an Agreement of Sale. The balance of the purchase price shall be paid at closing which shall

occur not later than sixty (60) days following the acceptance of the bid by the Borough. The purchaser shall be entitled to possession immediately following closing of title.

(j) The sale price, as may result from this auction sale, may not be used before any County Board of Taxation, State Tax Court or in any other court of this State to challenge the assessment with respect to the subject property nor may same be used as a comparable sale to challenge the assessment with regard to other properties.

(k) "All conveyances by the Borough shall be made by bargain and sale deed and such conveyances shall carry deed restrictions that indicate A) that no further subdivision of either lot shall be permitted and B) that both lots shall only be used for residential purposes."

(l) The highest bid shall be accepted or rejected by resolution of the Governing Body no later than the second regular meeting of the Governing Body following the date of such auction sale.

(m) The successful bidder agrees that:

(1) The property is located in Zone 1E (single family, residential) and the successful bidder shall comply with the requirements of the zone as stated in the Borough's Development Ordinances.

(2) He or she shall indemnify and hold the Borough harmless from any claim whatsoever arising out of the Borough's ownership interest including but not limited to environmental cleanup costs.

(3) He or she shall pay prorated real estate taxes for the balance of the current year, as of the date of closing.

(4) He or she shall abide by all appropriate zoning, subdivision, health and building regulations and codes and stipulations that this sale will not be used as grounds to support a challenge of the existing assessment of the subject property, nor shall the purchase price be used as a comparable sale to challenge assessments with regard to other properties.

(5) Failure to close title as agreed shall forfeit to the Borough of Sea Girt any and all money deposited with the Borough.

(n) A failure by the purchaser to fully comply with the terms, conditions, requirements and regulations of sale as herein contained shall be considered, at the option of the Borough of Sea Girt, as a material breach of the conditions of sale whereupon the Borough may declare said contract or purchase terminated and at an end. All monies paid on behalf of the purchase price, by way of deposit or otherwise, may be retained by the Borough as its liquidated damages and it may thereafter resell said property and/or pursue such other and further legal and/or equitable remedies as it may have and the defaulting purchaser shall continue to remain liable for all damages and losses sustained by the Borough of Sea Girt by reason of any such default.

(o) The sale is made subject to all applicable laws and ordinances of the State of New Jersey and the Borough of Sea Girt.

**BE IT FURTHER RESOLVED** that the Borough Clerk, as required by N.J.S.A. 40A:12-13(a), shall advertise the open public sale at auction of the Property in a newspaper circulating in the municipality in which the Property is situated, by two insertions at least once a week during two consecutive weeks, the last publication to be not earlier than seven days prior to such sale.

**BE IT FURTHER RESOLVED** that the Mayor, Clerk, Borough Attorney and such other officials as may be necessary are authorized to perform such ministerial actions as are necessary to effectuate the purposes of this Resolution including, but not limited to, preparing and executing a deed and all other necessary documents to convey the Property to the successful bidder, subsequent to the Governing Body adopting a resolution awarding the bid.

Council President Fetzer noted that the appraisal of the property with two or three lots is virtually the same amount.

Recorded Vote:

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

**7. ADMINISTRATOR REPORTS/DISCUSSION**

A. **Library Wine and Cheese Gathering**, Saturday, June 29, 2019 from 5:00 to 7:00 PM; tickets are \$45 in advance and \$50 at the door and may be ordered at either Borough Hall or the Library

8. **QPA REPORTS:** BRB Appraisal Services, \$5,000

9. **COUNCIL REPORTS:** Councilperson Clemmensen, Meixsell, Anthony and Council President Fetzer had no reports.

Councilwoman Morris reported as follows:

- 200 Club Annual Valor Awards – Certificate of Recognition was awarded to Officers Jeremy Sorrentino and Frank Ciufu for their assistance in reviving an unresponsive man while waiting for EMS.
  - Officer Ciufu also received an award for reviving an unconscious man while waiting for EMS.
  - A plaque award giving to Officers Kevin McCrossan, Patrolman Zachary and Captain Justin Macko who helped free a subject pinned under a large boulder.
- She also mentioned that Patrolman Larry Bolchune participated in the annual Torch Run supporting Special Olympics for the second consecutive year.

- She also recognized Sgt. DeMillio and Monmouth County Communications Officers Kelly Carew for their exceptional efforts to coordinate a search for two missing minors who were eventually found safe.

Councilman Mulroy reported as follows:

- Read a letter on behalf of Fire Chief Scipione in memory of Sandy Ratz;
- On the Sunday of Memorial Day weekend, the Borough sold the most daily badges in ten years; beach season is moving along.

Mayor Farrell reported as follows:

- Town wide weekly recycling starts today;
- Asked for prayers for our DPW Manager, Jared McKittrick, who is very ill.

**10. Resolution No. 107-2019: 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 List dated June 7, 2019 in the totals as follows:

CURRENT FUND	\$ 172,271.91
WATER/SEWER OPERATING FUND	\$ 88,954.20
BEACH OPERATING FUND	\$ 6,932.14
TRUST FUND	\$ 3,327.00
RECREATION TRUST FUND	\$ 2,884.38
CAPITAL FUND	\$ 32,308.83
BEACH CAPITAL FUND	\$ 5,171.25
WATER CAPITAL FUND	\$ 19,001.25

Recorded Vote:

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

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

Mayor Farrell stated that the Council will be considering the renewal of the Avon Hotel Corp. t/a The Parker House season consumption license later in this meeting and asked that comments be limited to other subjects.

Catherine Metcalf, Ocean Avenue, read a lengthy statement objecting to the continued use of Ocean Avenue as the passenger loading zone, stating that in her opinion, the Borough did this at the behest of Parker House management and Uber;

Roger McLaughlin, attorney for Avon Hotel Corp. t/a The Parker House, stated that the management of the establishment did not request that the passenger loading zone be located on Ocean Avenue;

Robert Ferguson, Philadelphia Boulevard, stated that he is here in support of Chief Davenport and noted that he knows for a fact that the Chief supports all persons in the military despite what has recently been reported in the newspapers. He cited one instance: that the Chief, at his own expense, took several disabled veterans on a day-long fishing trip (on his boat), stating that the Chief has never sought any public acknowledgement of these events.

There being no further comments at this time, Mayor Farrell announced that the Council will now move on to the renewal of the seasonal consumption license for Avon Hotel Corp. t/a The Parker House. At this time, Councilman Mulroy announced that he would be recusing himself from participating in any discussion or action on matters concerning Avon Hotel Corp. t/a The Parker House as he lives directly across the street from the establishment and his home is currently on the market. He then left the meeting at 8:30 PM.

## 12. NEW BUSINESS (continued)

### G. 2019-2020 ABC License Renewal, Avon Hotel Corp t/a The Parker House

A transcript of comments is attached and made part of the Minutes of the meeting; in summary, the following persons spoke, objecting to manner in which The Parker House is managed:

Christine Dunn, Beacon Boulevard;  
Maggie Bossett, Chicago Boulevard;  
Henry Bossett, Chicago Boulevard;  
Alexander Righter, Beacon Boulevard;  
Matt Oorbeek, from the firm Genova Burns, representing Brian and Tess Manley,  
Candice Kadimik and Dennis-Lauzon.

The following person spoke in favor of the operation of the establishment by the management of The Parker House:

Matt Sheerin, Chicago Boulevard;  
Mary Beth Gregg,  
Diane Raver, Boston Boulevard;  
Tom DeFelice, Ocean Avenue;  
Charles Anthony, Brooklyn Boulevard;  
Maria Quinn, Wall Township;  
Dara Boyle, The Terrace;  
Brian Campione, Philadelphia Boulevard;  
Ray Bogan, Beacon Boulevard;  
Patrick Bogan, Beacon Boulevard;  
Joseph Berardo, New York Boulevard;  
Carolyn Carilli, The Terrace;  
Shawn Hickey, Chicago Boulevard;  
Liana Bolan, Philadelphia Boulevard;  
Robin Sweeny, Beacon Boulevard.

There were no further comments from the public, therefore, the public participation portion of the public hearing was closed and Mayor Farrell invited The Parker House management and Police Department to speak.



MINUTES – REGULAR MEETING

June 12, 2019

Police Chief Davenport read his statement regarding the statistical data that has been gathered regarding incidents at or near the premises of the Avon Hotel Corp. t/a The Parker House, noting that his job is to present information to the Council for their consideration; the full comments are included in the attached transcript.

Roger McLaughlin, Esq. representing Avon Hotel Corp. t/a The Parker House spoke extensively in support of the renewal of the establishment's seasonal consumption license,

Councilman Clemmensen asked if anyone had asked the County Engineer what can be done with First Avenue to make it safe for a loading zone. Nick Montenegro suggested at the conclusion of the public portion to add in evidence, the letter from Joseph Ettore, County Engineer dated May 30, 2019. There was no objection to this action.

Mr. Sapienza requested that Council withhold final action on the application for renewal and that the matter be carried to the June 26<sup>th</sup> meeting.

Mayor Farrell noted he wants to continue to engage with management of Avon Hotel Corp. t/a The Parker House and discuss compromise where appropriate. He noted the Council is trying to be good stewards of taxpayer funds, noting that although costs are rising; preserving public safety is one of Council's most important concerns.

Mayor Farrell asked the members of Council if they wanted to hold deliberations this evening or postpone action until the next Council meeting to be held on June 26. **UPON MOTION** of Councilman Meixsell, seconded by Councilwoman Morris, carried, to close the public hearing on the renewal of the season consumption license held by Avon Hotel Corp. t/a The Parker House.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Meixsell	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy (recused)				
Councilwoman Anthony	X			

There being no further business, and **UPON MOTION** of Council President Fetzer, seconded by Councilwoman Morris, carried, that the meeting be finally adjourned at 10:30 PM.

*Lorraine P. Carafa*

LORRAINE P. CARAFA, RMC  
Municipal Clerk

June 7, 2019  
02:21 PM

BOROUGH OF SEA GIRT  
Bill List By P.O. Number

Page No: 1

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
18-00755	08/14/18	BRASH	Shelterwood Forest Managers,	Open	427.50	0.00	B
18-00997	11/20/18	01125	FAIL SAFE TESTING LLC	Open	2,044.35	0.00	
18-01086	12/28/18	WSP01	Water Service Peofessionals	Open	2,972.00	0.00	
19-00020	01/09/19	00964	A'S GARDEN & HOME CENTER	Open	759.13	0.00	B
19-00022	01/09/19	AMM01	Apruzzese, McDermott, Mastro	Open	15,604.12	0.00	B
19-00025	01/09/19	00008	AT&T	Open	50.83	0.00	B
19-00026	01/09/19	00046	AQUATIC SERVICES - E. Runyon	Open	1,696.00	0.00	B
19-00027	01/09/19	00113	AHERN BLUEPRINTING, INC.	Open	95.00	0.00	B
19-00030	01/09/19	00233	Copy Center Inc.	Open	37.55	0.00	B
19-00031	01/09/19	00136	THE COAST STAR	Open	189.35	0.00	B
19-00032	01/09/19	DYN01	Dynamic Testing Services	Open	215.00	0.00	B
19-00034	01/09/19	FARMINGD	Farmingdale Recycling	Open	1,008.00	0.00	B
19-00038	01/09/19	00575	JASPAN HARDWARE	Open	121.16	0.00	B
19-00039	01/09/19	00016	JERSEY CENTRAL POWER & LIGHT	Open	2,510.48	0.00	B
19-00041	01/09/19	01230	KEPWEI SPRING WATER CO., INC.	Open	207.90	0.00	B
19-00042	01/09/19	KEK01	The Law Offices of	Open	952.00	0.00	B
19-00043	01/09/19	LEVEL3	Level 3	Open	953.64	0.00	B
19-00045	01/09/19	00958	M & W COMMUNICATIONS, INC.	Open	54.35	0.00	B
19-00046	01/09/19	MAZZA	Mazza Mulch, Inc.	Open	1,092.00	0.00	B
19-00047	01/09/19	00040	MONMOUTH COUNTY TREASURER	Open	12,097.59	0.00	B
19-00048	01/09/19	01166	MONTENEGRO, THOMPSON, ET ALS.	Open	24,264.33	0.00	B
19-00052	01/09/19	01258	NJ American Water	Open	92.00	0.00	B
19-00054	01/09/19	01942	ONE CALL CONCEPTS	Open	279.56	0.00	B
19-00055	01/09/19	00068	OLD TOWNE CAR WASH INC.	Open	124.00	0.00	B
19-00056	01/09/19	00614	Optimum	Open	365.81	0.00	B
19-00057	01/09/19	00321	SEABOARD WELDING SUPPLY, INC.	Open	27.00	0.00	B
19-00061	01/09/19	SBS01	Stewart Business Systems	Open	249.94	0.00	B
19-00065	01/09/19	00090	SOUTH MON. REG. SEW. AUTHORITY	Open	70,052.90	0.00	B
19-00073	01/10/19	TU01	TransUnion Risk & Alternative	Open	50.00	0.00	B
19-00078	01/10/19	00053	VAN WICKLE AUTO SUPPLY	Open	744.38	0.00	B
19-00079	01/10/19	00007	VERIZON	Open	436.27	0.00	B
19-00080	01/10/19	00349	VERIZON WIRELESS	Open	253.99	0.00	B
19-00081	01/10/19	00503	MARK WOSZCZAK MECH.CONTS. INC.	Open	5,750.00	0.00	B
19-00120	01/17/19	00051	NJ NATURAL GAS CO.	Open	838.38	0.00	B
19-00123	01/18/19	00051	NJ NATURAL GAS CO.	Open	26.37	0.00	B
19-00173	01/31/19	KEK01	The Law Offices of	Open	406.00	0.00	B
19-00186	02/05/19	GOLDSTIE	The Goldstein Partnership	Open	1,770.00	0.00	B
19-00222	02/19/19	00051	NJ NATURAL GAS CO.	Open	80.05	0.00	B
19-00225	02/19/19	01809	BOROUGH OF SEA GIRT	Open	3,903.00	0.00	B
19-00232	02/22/19	00016	JERSEY CENTRAL POWER & LIGHT	Open	1,243.67	0.00	B
19-00234	02/22/19	00349	VERIZON WIRELESS	Open	156.36	0.00	B
19-00253	02/26/19	00016	JERSEY CENTRAL POWER & LIGHT	Open	4.76	0.00	B
19-00254	02/26/19	00016	JERSEY CENTRAL POWER & LIGHT	Open	167.86	0.00	B
19-00286	03/07/19	H2M	H2M Associates, Inc.	Open	3,994.50	0.00	B
19-00292	03/08/19	00016	JERSEY CENTRAL POWER & LIGHT	Open	2,326.17	0.00	B
19-00298	03/14/19	KEK01	The Law Offices of	Open	756.00	0.00	B
19-00306	03/18/19	01912	STAPLES ADVANTAGE	Open	0.00	0.00	
19-00309	03/19/19	00383	ALLISON PEST CONTROL	Open	120.00	0.00	B
19-00323	03/22/19	TNJ 01	Tanner North Jersey, Inc.	Open	3,192.80	0.00	
19-00341	03/26/19	ULINE	ULINE	Open	567.52	0.00	

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
19-00349	03/27/19	ECLCT	East Coast Land Care, Inc.	Garden Maintenance Services	Open	2,810.00	0.00 B
19-00350	03/27/19	00349	VERIZON WIRELESS	Verizon Wireless Police	Open	456.47	0.00 B
19-00373	04/03/19	AT 01	Atlantic Tactical	Uniform Jackets	Open	827.40	0.00
19-00374	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Class B Polo shirt, Bradford	Open	135.98	0.00
19-00375	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Class B Polo shirt, Cusimano	Open	67.99	0.00
19-00376	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Class B Polo shirt, Dudak	Open	135.98	0.00
19-00378	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Class B Polo shirt, Wagner	Open	135.98	0.00
19-00380	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Class B Polo shirt, Hasting	Open	135.98	0.00
19-00381	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Class B Polo shirt, Pickell	Open	135.98	0.00
19-00382	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Class B Polo shirt, Kudisch	Open	135.98	0.00
19-00383	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Class B Polo shirt, Morris	Open	135.98	0.00
19-00384	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Class B Polo shirt, Pearce	Open	67.99	0.00
19-00385	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Class B Polo shirt, MacCanico	Open	67.99	0.00
19-00386	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Class B Polo shirt, Slad	Open	67.99	0.00
19-00387	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Class B Polo shirt, McNicholas	Open	67.99	0.00
19-00389	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Uniform pants, Cusimano	Open	71.99	0.00
19-00390	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Uniform pants, Dudak	Open	71.99	0.00
19-00392	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Uniform pants, Hasting	Open	71.99	0.00
19-00393	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Uniform pants, Kudisch	Open	71.99	0.00
19-00394	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Uniform pants, MacCanico	Open	71.99	0.00
19-00395	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Uniform pants, Morris	Open	71.99	0.00
19-00396	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Uniform pants, Pearce	Open	71.99	0.00
19-00397	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Uniform pants, Pickell	Open	71.99	0.00
19-00398	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Uniform pants, Pignataro	Open	71.99	0.00
19-00399	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Uniform pants, Wagner	Open	71.99	0.00
19-00400	04/03/19	00255	AMERICAN UNIFORM & SUPPLY	Uniform pants, Bradford	Open	71.99	0.00
19-00413	04/08/19	OPDYKE	Opdyke Awnings, Inc.	Replacement Awning	Open	4,385.00	0.00
19-00414	04/08/19	00060	MGL PRINTING SOLUTIONS	Tax Bills	Open	255.50	0.00
19-00444	04/17/19	RUBBEREC	RubberRecycle	Rubber Mulch	Open	2,628.25	0.00
19-00450	04/18/19	00053	VAN WICKLE AUTO SUPPLY	Misc	Open	55.06	0.00 B
19-00452	04/18/19	MYDOOR	MyDoorsSign.com	Door signs for PD HQ	Open	398.91	0.00
19-00460	04/24/19	01250	SHERWIN WILLIAMS	Paint & painting supplies	Open	1,669.70	0.00 B
19-00485	04/29/19	01479	CHERRY VALLEY TRACTOR SALES	Requisition Request 19-111	Open	2,808.74	0.00
19-00494	05/14/19	PLANET01	Planet Shred Records	Document Shred	Open	141.85	0.00 B
19-00496	05/02/19	C1967	Country Clean Paper Supplies	Janitorial supplies	Open	731.87	0.00
19-00502	05/03/19	00524	MUELLER'S FLORIST	Blanket	Open	210.00	0.00 B
19-00503	05/03/19	00540	SEA COAST CHEVROLET	Valve	Open	34.25	0.00
19-00504	05/07/19	00958	M & W COMMUNICATIONS, INC.	Move equipment for renovation	Open	210.00	0.00 B
19-00505	05/07/19	01250	SHERWIN WILLIAMS	Curb & street painting	Open	40.24	0.00 B
19-00506	05/07/19	SAUER	H.C. Sauer, Inc.	Move outlet in dispatch	Open	420.00	0.00
19-00507	05/07/19	00169	GOODYEAR TIRE CRAFT	Requisition Request 19-118	Open	610.44	0.00
19-00509	05/07/19	BDL	By Design Landscapes, Inc.	Weed and Turf maintenance	Open	225.00	0.00 B
19-00518	05/10/19	00131	LANIGAN ASSOCIATES, INC.	OC spray holster	Open	84.75	0.00
19-00519	05/10/19	00089	BOROUGH OF MANASQUAN	Interlocal jet vac repairs	Open	170.86	0.00
19-00529	05/14/19	01912	STAPLES ADVANTAGE	Labels	Open	65.22	0.00
19-00530	05/14/19	01686	W.B. MASON COMPANY, INC.	Supplies	Open	134.68	0.00
19-00531	05/14/19	01912	STAPLES ADVANTAGE	Office Supplies	Open	260.48	0.00
19-00534	05/16/19	00334	HOME DEPOT CREDIT SERVICES	Renovations to PD headquarters	Open	223.09	0.00
19-00536	05/17/19	01625	GRAINGER	Requisition Request 19-127	Open	393.55	0.00
19-00539	05/17/19	00964	A'S GARDEN & HOME CENTER	Requisition Request 19-126	Open	46.78	0.00
19-00540	05/17/19	01479	CHERRY VALLEY TRACTOR SALES	Requisition Request 19-129	Open	93.80	0.00
19-00542	05/17/19	CEUNION	CEUnion	Classs registration, McKittrick	Open	95.00	0.00
19-00543	05/17/19	01686	W.B. MASON COMPANY, INC.	Copy paper	Open	607.00	0.00
19-00545	05/20/19	GIBBS	Patricia F. Gibbs	Reimbursement	Open	102.50	0.00

June 7, 2019  
02:21 PM

BOROUGH OF SEA GIRT  
Bill List By P.O. Number

Page No: 3

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Ty
19-00548	05/22/19	IHC01	Indian Harbor Insurance Co.	Retention/Coinsurance, Walker	Open	246.00	0.00
19-00552	05/22/19	00053	VAN WICKLE AUTO SUPPLY	2019 Misc	Open	109.75	0.00 B
19-00553	05/22/19	DCA PERM	Treasurer State of New Jersey	Tent Permit	Open	258.00	0.00
19-00554	05/22/19	00334	HOME DEPOT CREDIT SERVICES	PD renovation	Open	121.44	0.00
19-00555	05/22/19	KEK01	The Law Offices of	Monteverdi, 602 Beacon	Open	140.00	0.00 B
19-00557	05/23/19	01625	GRAINGER	Flags	Open	426.06	0.00
19-00559	05/23/19	01686	W.B. MASON COMPANY, INC.	Office supplies	Open	50.84	0.00
19-00560	05/24/19	00641	TREASURER, STATE OF NJ	Storm water discharge permit	Open	1,050.00	0.00
19-00563	05/24/19	01767	JANE HUNNEWELL	Reimbursement	Open	1,590.03	0.00
19-00573	05/28/19	00964	A'S GARDEN & HOME CENTER	Requisition Request 19-137	Open	13.86	0.00
19-00574	05/28/19	01659	AARON & COMPANY	Requisition Request 19-142	Open	4.59	0.00
19-00578	05/29/19	00964	A'S GARDEN & HOME CENTER	Spray paint to mark trees	Open	11.48	0.00
19-00582	06/03/19	RDS01	Realty Data Systems, LLC	Data Collection & verification	Open	2,864.40	0.00
19-00583	06/03/19	00392	LEON S. AVAKIAN INC.	Zoning & PB	Open	2,025.00	0.00
19-00584	06/03/19	00392	LEON S. AVAKIAN INC.	Capital	Open	25,365.00	0.00
19-00585	06/03/19	00392	LEON S. AVAKIAN INC.	Water Capital	Open	19,001.25	0.00
19-00586	06/03/19	00392	LEON S. AVAKIAN INC.	Beach Capital	Open	5,203.75	0.00
19-00587	06/03/19	00392	LEON S. AVAKIAN INC.	Engineering	Open	20,900.00	0.00
19-00588	06/04/19	01659	AARON & COMPANY	Requisition Request 19-143	Open	8.47	0.00
19-00590	06/05/19	00241	POSTMASTER	PO Box #22 rental, annual	Open	114.00	0.00
19-00592	06/05/19	00469	MONMOUTH CTY. TREASURER	Course J Sorrentino	Open	75.00	0.00
19-00594	06/05/19	JPMONZO	J P Monzo Municipal Consulting	Webinar Registration, Brisben	Open	50.00	0.00
19-00595	06/05/19	VCS	Visual Computer Solutions	Renewal	Open	209.79	0.00
19-00598	06/05/19	00676	DANSKIN INSURANCE AGENCY, INC.	Accident Ins for Fire Dept.	Open	3,560.00	0.00
19-00600	06/06/19	HARRIMAN	Dawn Harriman	reimbursement	Open	35.31	0.00
19-00602	06/07/19	01931	LORRAINE P. CARAFA	Reimbursement	Open	718.42	0.00
Total Purchase Orders:		130	Total P.O. Line Items:	0	Total List Amount:	272,764.10	Total Void Amount: 0.00

19-00079	Verizon	232.02
19-00090	Horizon Dental	1,232.44
19-00091	Standard Insurance Co.	286.20
19-00127	Principal Ins.	246.76
19-00556	Kube Pak	81.60
	State Health Benefits	
		60,387.84
	Total	335,235.96

June 7, 2019  
02:21 PM

BOROUGH OF SEA GIRT  
Bill List By P.O. Number

Page No: 4

Totals by Year-Fund  
Fund Description Fund

	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND 8-01	2,353.35	0.00	2,353.35	0.00	0.00	2,353.35
WATER OPERATING 8-05	2,972.00	0.00	2,972.00	0.00	0.00	2,972.00
Year Total:	5,325.35	0.00	5,325.35	0.00	0.00	5,325.35
CURRENT FUND 9-01	<del>168,918.56</del> 107,528.30	0.00	107,528.30	0.00	0.00	107,528.30
WATER OPERATING 9-05	85,982.20	0.00	85,982.20	0.00	0.00	85,982.20
BEACH OPERATING 9-09	<del>6,932.14</del> 6,850.54	4,385.00	11,235.54	0.00	0.00	11,235.54
TRUST OTHER 9-25	3,327.00	0.00	3,327.00	0.00	0.00	3,327.00
BOARD OF RECREATI 9-26	2,884.38	0.00	2,884.38	0.00	0.00	2,884.38
Year Total:	206,572.42	4,385.00	210,957.42	0.00	0.00	210,957.42
BEACH CAPITAL B-08	5,171.25	0.00	5,171.25	0.00	0.00	5,171.25
GENERAL CAPITAL C-04	32,308.83	0.00	32,308.83	0.00	0.00	32,308.83
WATER CAPITAL W-06	19,001.25	0.00	19,001.25	0.00	0.00	19,001.25
Total of All Funds:	<del>268,379.10</del> 330,850.96	4,385.00	272,764.10	0.00	0.00	<del>272,764.10</del> 335.235.96

# The Board of Chosen Freeholders of the County of Monmouth

## DEPARTMENT OF PUBLIC WORKS & ENGINEERING

**JOHN W. TOBIA**

Director

Email: jwtobia@co.monmouth.nj.us



**JOSEPH M. ETTORE**

County Engineer

Email: engineer@co.monmouth.nj.us

### DIVISION OF ENGINEERING & TRAFFIC SAFETY

Hall of Records Annex

Freehold, New Jersey 07728

Telephone: (732) 431-7760

Fax: (732) 431-7765

May 30, 2019

Borough of Sea Girt  
PO Box 296  
321 Baltimore Boulevard  
Sea Girt, NJ 08750  
Attn: Administrator Lorraine Carafa

**Re: County Route 49 (First Avenue)  
Sea Girt, NJ**

Dear Ms Carafa:

The Borough of Sea Girt has requested that Monmouth County evaluate the feasibility of creating a Passenger Loading Zone along County Route 49 (First Avenue) in the vicinity of Beacon Boulevard. Monmouth County has reviewed this request and offers the following findings:

- First Avenue is under the jurisdiction of Monmouth County for its entire length through Sea Girt.
- First Avenue is approximately 34 ft wide, with striped 12 ft travel lanes and 5 ft wide shoulders.
- The shoulders are well used by bicyclists, particularly in the summer months.
- The entire length of First Ave is currently designated as a "No Stopping or Standing" zone per Sea Girt Borough Code 7-11.
- The speed limit along First Avenue is 25 mph from April to October 15, and 30 mph the remainder of the year.
- Passing is prohibited throughout the corridor.
- Residential driveways exist throughout the corridor.

Based on our review of the above engineering data, the proposed Passenger Loading Zone cannot be implemented in accordance with current design standards.

Please note that, based on concerns raised by the Borough Police Department in 2012, the speed limit was lowered and no passing zones and shoulders were implemented to provide traffic calming and to accommodate bicyclists. In-street pedestrian crossing signs were also added. Our review of crash records indicates 8 crashes in the corridor from 2013 to present, which included one bicycle crash and a fatal pedestrian crash.

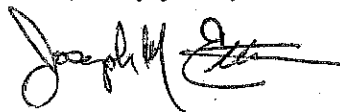
To: Lorraine Carafa  
Re: CR 49 (First Ave)

May 30, 2019  
Page 2 of 2

Furthermore, vehicles stopped along First Avenue would impact the line of sight and turning movements for vehicles exiting the residential driveways. The high turn-over of vehicles utilizing the proposed Passenger Loading Zone would also be a detriment to the safe and efficient movement of traffic along CR 49 and have a major impact on the bicyclists traveling along CR 49 as well as pedestrian crossings.

In summary, the current roadway width, with 12 ft travel lanes and 5 ft shoulders, does not meet the current design standards for legally establishing a proposed Passenger Loading Zone. Therefore, the County cannot support the creation of a Passenger Loading Zone along County Route 49 (First Ave). Should you have any questions or require additional information, please contact this office at 732-431-7760.

Very truly yours,



Joseph M. Ettore, P.E.  
County Engineer

JME:VJC:vjc

cc: Ken Farrell, Mayor, Sea Girt  
Chief Kevin Davenport, Sea Girt Police  
Thomas A. Arnone, Freeholder Director  
Teri O'Connor, County Administrator  
John W. Tobia, Director, Public Works & Engineering  
Ming Y. Kao, Assistant County Engineer  
Daria Jakimowska, Chief Engineer, Traffic  
Debra Compton, Traffic Engineer  
Vincent Cardone, Principal Engineer II, Traffic

