

## MINUTES - REGULAR MEETING

May 22, 2019

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, May 22, 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.

### 1. ROLL CALL:

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

- **PRESENTATION:** William Sitar Properties/Washington Boulevard and Fifth Avenue (Request to allow Conditionally Permitted Use in the District 2E Convenience Commercial Zone)

Mr. McSweeney presented information on behalf of Mr. Sitar's request to the Borough Council to amend the Borough's Land Use Ordinances allow a Conditionally Permitted Use in the District 2E Convenience Commercial Zone – senior citizen multi-family housing. According to Mr. McSweeney, the proposal is designed to fill a need based on the Master Plan Revision adopted last year that identified the growing numbers of seniors living in the Borough. This proposal would consolidate the two lots on each side of Washington Boulevard at Fifth Avenue into single conforming lots on each corner; the structures proposed would each have sixteen rental units in total with on-site parking on a lower level; no access would be permitted from Washington Boulevard to the parking area. In this proposal, it is Mr. Sitar's opinion that this is a less intensive use than those permitted by current zoning and will result in less traffic and noise. The proposal includes adding a definition of Senior Housing consistent with the definition promulgated by the Division of Community Affairs with an anticipated occupancy of 1.5 persons per dwelling unit with the requirement that at least one person living in the unit is 55 years of age or older. Mr. McSweeney also referred to a report on senior housing promulgated by Rutgers University.

Councilwoman Anthony asked for a copy of the study and asked if it was specific to the shore area; the response was that the study was state-wide.

Councilman Mulroy noted the occupancy number seems low and is concerned about traffic and parking; Mr. McSweeney responded the report is based on full time residents.

Council President Fetzer noted the proposal states that access will be limited to streets other than Washington Boulevard; Mr. McSweeney responded that the County would not approve access from Washington Boulevard. Council President Fetzer also noted that if the plan is approved, it would change the vision of the town since our business district is relatively small. Council President Fetzer asked if future of downtown would be further development of residential use. Mr. McSweeney suggested that there could potentially be small restaurants with surface parking, noting that the area is not appealing for retail use.

Councilwoman Morris asked if there would be basements/storage units; Mr. McSweeney responded there may be, based on future site borings.

Councilman Meixsell noted the intent of having the presentation tonight was to have the public hear directly from Mr. Sitar on his proposal; he suggested the proposal go the Planning Board for a presentation and await their recommendation and input.

Borough Attorney Nick Montenegro provided information on the process to adopt the required Ordinance to allow the Conditional Use.

Council President Fetzer and Councilman Meixsell suggest the proposal be reviewed at a Planning Board meeting.

Mayor Farrell stated that as presented, the minimum size of each unit is proposed to be 1,200 sq. ft. and asked if there is a maximum size of the units; Mr. McSweeney did not have that information available. Mayor Farrell asked if handicapped parking will be provided and the answer was yes.

Councilman Mulroy noted the Zoning Committee had met with Mr. Sitar recently to review the proposal.

Councilwoman Anthony asked if there was a difference from previous applications submitted to the Planning Board other than designation as senior citizen housing. Mr. McSweeney said this plan is exclusively for senior citizens. Councilwoman Anthony noted that age 55 can be parents with children still living at home.

The following persons spoke in opposition to allowing the proposed conditional use in the Commercial Zone:

Ed Liston, an attorney who represented residents in the previously considered use variance matter brought by Mr. Sitar before the Planning Board, who noted that since this proposed development is not a permitted use in the Zone, there is the risk of “spot zoning” attaching to this request and further commented that any request for a zone change should be referred to the Planning Board; Councilman Meixsell read from a report prepared by Mr. Avakian stating that it is his opinion that this proposal does not constitute spot zoning;

MaryAnn Schoble, Crescent Parkway, who asked if there would be an “affordable housing” component to the proposed development; she was advised there would not;

Tom Jennings, Trenton Boulevard, who described the proposed development as too intense for the area and further noted that since the current zoning would permit 8 apartments on the two sites, Mr. Sitar should be required to comply with current zoning requirements;

Mike Keefe, Crescent Parkway, reiterated Mr. Jennings comments, also noting that the occupancy estimate of 1.5 persons per unit is an underestimate and

2. **PUBLIC PARTICIPATION ON ANY CONSENT AGENDA ITEM** (Comments limited to 7 minutes) – a woman identified only as “Patricia” spoke in favor of the Resolution identifying June 7 as “National Gun Violence Awareness Day” and thanked the Council for supporting this cause.

3. **CONSENT AGENDA - Resolution No. 83-2019: UPON MOTION** of Councilman Meixsell, seconded by Councilman Mulroy, carried, that the following Resolutions be and the same are hereby adopted:

- Authorize submission of Recycling Tonnage Grant application

**WHEREAS**, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and,

**WHEREAS**, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and,

**WHEREAS**, The New Jersey Department of Environmental Protection and Energy is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and,

**WHEREAS**, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and,

**WHEREAS**, A resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and,

**WHEREAS**, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Sea Girt that the Borough of Sea Girt hereby endorses the submission of the Recycling Tonnage Grant application to the New Jersey Department of Environmental Protection and Energy and designates the Recycling Coordinator to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the Recycling Tonnage Grant be deposited in a dedicated Recycling Trust Fund to be used solely for the purposes of recycling.

- Certification of Recycling Taxes paid in 2018;

**WHEREAS**, the Recycling Enhancement Act, P.L. 2007, C.311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and,

**WHEREAS**, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and,

**WHEREAS**, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the

“Local Public Contracts Law”, the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for its recycling program.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Sea Girt that the Borough of Sea Girt hereby certifies submission of expenditure for taxes paid pursuant to P.L. 2007, C.311, in 2018 in the amount of \$2,844.45. Documentation supporting this submission is available at Borough Hall, 321 Baltimore Boulevard, Sea Girt, New Jersey and shall be maintained for no less than five years from this date.

REA Tax certified by: Edward Hudson, CFO  
Date: April 10, 2019

- Proclamation Declaring the First Friday in June to be National Gun Violence Awareness Day;

**WHEREAS**, every day, 96 Americans are killed by gun violence and on average there are nearly 13,000 gun homicides every year; and,

**WHEREAS**, Americans are 25 times more likely to be killed with guns than people in other developed countries; and,

**WHEREAS**, protecting public safety in the communities they serve is mayors’ highest responsibility; and,

**WHEREAS**, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from dangerous people; and,

**WHEREAS**, mayors and law enforcement officers know their communities best, are the most familiar with local criminal activity and how to address it, and are best positioned to understand how to keep their citizens safe; and,

**WHEREAS**, in January 2013, Hadiya Pendleton, a teenager who marched in President Obama’s second inaugural parade and was tragically shot and killed just weeks later, should have been now celebrating her 21st birthday; and,

**WHEREAS**, to help honor Hadiya – and the 96 Americans whose lives are cut short and the countless survivors who are injured by shootings every day – a national coalition of organizations has designated June 7, 2019, the first Friday in June, as the 5th National Gun Violence Awareness Day; and,

**WHEREAS**, the idea was inspired by a group of Hadiya’s friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to announce themselves to other hunters when out in the woods and orange is a color that symbolizes the value of human life; and,

**WHEREAS**, anyone can join this campaign by pledging to Wear Orange on June 7th the first Friday in June in 2019, to help raise awareness about gun violence; and,

**WHEREAS**, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands, and encourage responsible gun ownership to help keep our children safe.

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Sea Girt declares the first Friday in June, June 1, 2018, to be National Gun Violence Awareness Day, and encourage all citizens to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

- Approve St. Mark's Holy Name Society request for an Off-Premise 50/50 Raffle License, drawing to be held on September 1, 2019.

**WHEREAS**, St. Mark's Parish/Holy Name Society has made application to the Borough Council for an license to conduct an Off-Premise 50/50 for the benefit of the local charities on September 1, 2019 at 1:00 PM.

**WHEREAS**, the above is being conducted in accordance with Findings and Determinations of the verifying officer.

**NOW, THEREFORE, BE IT RESOLVED**, that the license requested be granted.

Recorded Vote:

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

#### 4. MINUTES

**A. Resolution No. 84-2019:** Approve Minutes, Rescheduled Regular Meeting held May 1, 2019. Councilman Mulroy identified a correction that is necessary; he moved Resolution No. 76-2019 to Refund Kenmar Development, LLC Sewer Tap fee, not Councilman Foley.

**UPON MOTION** of Councilman Meixsell, seconded by Councilman Mulroy, carried, that the Minutes of the Regular Meeting held May 1, 2019 as amended be and the same are hereby approved.

Recorded Vote:

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

**B. Resolution No. 85-2019:** Approve Minutes, Regular Meeting held May 8, 2019

**UPON MOTION** of Councilman Mulroy, seconded by Councilwoman Anthony, carried, that the Minutes of the Regular Meeting held May 8, 2019 be and the same are hereby approved.

## Recorded Vote:

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

5. **OPEN DISCUSSION:** The Mayor discussed his opposition to the “Path to Progress” program proposed by Senator Sweeney under discussion at this time, stating the one of the drawbacks of the proposal is an estimated 25% increase in the State budget (over 5 years) and a \$3.2B shortfall by 2023. Also included in this program are proposals for one or 1 County-wide school districts, eliminating over 300 districts including Sea Girt and Spring Lake. This alone would increase the Borough’s school taxes by an estimated 25%, in the Mayor’s opinion a totally unacceptable option.

6. **OLD BUSINESS**

- A. **Resolution No. 86-2019:** Authorization to proceed with the Project Known as Improvements to the Sea Girt Library-new Municipal Administrative Offices and to award contract for the preparation of plans, specifications and other related services to The Goldstein Partnership, Maplewood, NJ at the cost of \$249,000 less the cost of preliminary design studies (\$8,850.00).

Mayor Farrell explained the proposed financing of the project – funds from grants, donations and the sale of excess (vacant) Borough property. Council President Fetzer stated that he supports the project and appreciates the efforts made. Councilwoman Anthony reminded those present that funds from the sale of Borough property had previously been identified as also being earmarked to beautification efforts and park improvement projects. Councilman Meixsell noted he hopes this is viewed as a major improvement to the current facilities and he is confident the municipal portion of the taxes will not go up. **UPON MOTION** of Councilwoman Morris, seconded by Councilman Meixsell, carried, that the following Resolution be and the same is hereby adopted:

**WHEREAS**, the Borough of Sea Girt authorized The Goldstein Partnership, Maplewood, NJ to prepare preliminary design studies in conjunction with a project to create new municipal administrative offices and expanded library facilities on February 1, 2019; and,

**WHEREAS**, the Borough of Sea Girt Council reviewed the preliminary designs prepared by The Goldstein Partnership on May 8, 2019 and has determined that the preliminary design submitted meets the Council’s approval and wishes to proceed with the project; and,

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., permits the award of a contract for services by a professional licensed by the State of New Jersey to be awarded as a non-fair and open professional services contract without public bidding; and,

**WHEREAS**, funds are provided for these services pursuant to Ordinance No. 03-2019 and the Chief Financial Officer has so certified.

**NOW, THEREFORE BE IT RESOLVED** that the Borough Council hereby agrees to move forward with the Project Known as Improvements to Sea Girt Library-New Municipal Administrative

Offices and hereby accepts the proposal of The Goldstein Partnership, Maplewood, NJ for the preparation of plans and specifications and other related services in the amount of \$249,000 less \$8,850 for the cost of preliminary design studies be and the same is hereby approved, subject to final review and approval of contract terms by the Borough Attorney and Clerk.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be advertised as required by the Local Public Contracts Law, *N.J.S.A. 40A:11-1*, et seq., provided to Eli Goldstein of The Goldstein Partnership for his information and the Chief Financial Officer for his information and further action.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be and they are hereby authorized to execute a contract with The Goldstein Partnership.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Meixsell	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilwoman Anthony	X			

**B. Ordinance No. 05-2019:** The Mayor to read the said Ordinance by Title:

1. The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in Asbury Park Press on May 9, 2019:

**ORDINANCE NO. 05-2019**

**AN ORDINANCE TO AMEND AND SUPPLEMENT SECTION 12-2,  
CONSTRUCTIONPROCEDURE AND SITE REGULATION, SUBSECTION 12-  
2.2 ADDITIONAL REGULATIONS OF CHAPTER XII, BUILDING AND  
HOUSING IN THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH**

**BE IT HEREBY ORDAINED BY THE COUNCIL OF THE BOROUGH OF SEA GIRT  
AS FOLLOWS:**

**SECTION 1.** Section 12-2.2(a) Definitions is hereby supplemented as follows:

Retaining Wall, Steel or wood pile walls are constructed by driving steel sheets or timber into a slope or excavation up to the required depth. Their most common use is within temporary deep excavations. They are considered to be most economical where retention of higher earth pressures of soft soils is required.

**SECTION 2.** Section 12-2.2, *Additional Regulations*, is hereby supplemented as follows:

1. **Subsection o.** All excavations equal to or greater than five (5) feet deep and five (5) wide must include the installation of retaining wall to provide temporary support of soil and existing structures.
1. Any excavation within ten feet of a structure or driveway throughout the project shall be supported in such a manner that no caving will result from the excavations and that

no driveway, structure or public or private property outside the project limits will be damaged. A sloped area no larger than fifteen (15') in width may be left open at the front of the excavation to allow for equipment access into the excavation.

2. The property owner shall submit signed and sealed plans for the shoring, designed by an engineer licensed in the State of New Jersey and shall be included with the application for zoning approval.
2. **Subsection p.** The requirement of Subsection o, the retaining wall of an excavation shall be waived upon the submission of a written agreement, witnessed by a notary public licensed by the State of New Jersey, between the owner of the site upon which the construction will occur and the owners of properties adjacent to the side and rear setbacks of the site upon which the construction will occur. Said Agreement must be submitted to the Zoning Official of the Borough prior to the commencement of any construction activity. The requirements of Subsection "o" shall remain in full force and effect if the written agreement(s) between all the parties is not submitted prior to the commencement of construction.

**SECTION 3. *Violations and penalties.*** Any person who shall violate any of the provisions of this Chapter shall, upon conviction, be subject to the penalties as provided in Chapter 1, Section 1-5 entitled "General Penalty." Each day of violation shall constitute a separate offense.

**SECTION 4.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 5.** 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.

**UPON MOTION** of Councilman Mulroy, seconded by Councilwoman Anthony, carried that the meeting be opened to the public for comments on the said Ordinance only.

An unnamed person asked if a resident is exempt from the provisions of the Ordinance if an agreement exists between neighbors (of adjoining properties) and is submitted to the Borough; Mayor Farrell responded yes.

Megan Pacetti, Washington Boulevard., thanked Council for their efforts, stating that she is aware of three instances where this has happened to residents. She further noted that there should now be less conflict between neighbors. There were no further comments from the public present, and **UPON MOTION** of Councilman Meixsell, seconded by Councilwoman Anthony, carried, the public hearing was closed.

**UPON MOTION** of Councilman Meixsell, seconded by Councilwoman Morris, carried, that the said Ordinance No. 05-2019 be adopted on final reading, directing the Clerk to post and publish as required by law.



Recorded Vote:

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

**C. Ordinance No. 15-2019:** The Mayor to read the said Ordinance by Title:

1. The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in Asbury Park Press on May 9, 2019: \_\_\_\_\_

**ORDINANCE NO. 15-2019**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XII, BUILDING AND HOUSING, ARTICLE 12, CONSTRUCTION PROCEDURES AND SITE REGULATIONS, OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT**

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

**SECTION 1. Article 12-2.2(j), Additional Regulations is hereby amended and supplemented as follows:**

- j. Construction is permitted during the following times:

1. Construction Hours Permitted.

Monday through Friday—8:00 a.m. to 6:00 p.m.

Saturday—9:00 a.m. to 5:00 p.m.

Except in the case of an emergency, no commercial construction shall take place on Sundays or on the public holidays of New Year's Day, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving, Christmas, but is permitted on those days if done solely by the property owner and/or their immediate family between 9:00 a.m. and 5:00 p.m. Commercial construction is also prohibited on Saturdays beginning on the Saturday of Memorial Day weekend in May and ending on Labor Day, inclusive, but is permitted if done solely by the property owner and/or their immediate family between 9:00 a.m. and 5:00 p.m.

2. Use of Power Tools. The use of power equipment or tools by both commercial operators and property owners for construction, repair or alteration of buildings, landscaping and lawn maintenance is permitted during the following times:

(a) Mondays through Fridays, (except on the public holidays of New Year's Day, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving, and Christmas), between the hours of 8:00 a.m. and 6:00 p.m.

(b) On Saturdays between the hours of 9:00 a.m. and 5:00 p.m. (Except the provision of services by commercial operators is not permitted on Saturdays beginning on the Saturday of Memorial Day weekend in May and ending on Labor Day, inclusive,)

Individual property owners and/or their immediate family members are permitted to perform construction and/or landscaping work on all Saturdays, Sundays and the public holidays of New Year's

Day, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving, and Christmas between the hours of 9:00 a.m. and 5:00 p.m.

**SECTION 4. *Violations and penalties.*** Any person who shall violate any of the provisions of this Chapter shall, upon conviction, be subject to the penalties as provided in Chapter 1, Section 1-5 entitled "General Penalty." Each day of violation shall constitute a separate offense.

**SECTION 5.** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed, but only to the extent of such inconsistency.

**SECTION 6.** This Ordinance shall take effect twenty (20) days after adoption and final publication as required by law.

**UPON MOTION** of Councilman Mulroy, 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 Councilwoman Anthony, carried, the public hearing was closed.

**UPON MOTION** of Councilman Meixsell, seconded by Councilwoman Anthony, carried, that the said Ordinance No. 15-2019 be adopted on final reading, directing the Clerk to post and publish as required by law.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
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 Councilwoman Morris, seconded by Councilman Meixsell, 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 Meixsell	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilwoman Anthony	X			

The Council returned to public session at 9:10 PM and the order of the Agenda resumed.

## 7. NEW BUSINESS

### A. ORDINANCES – introduction

1. **Ordinance No. 17-2019:** The Mayor to read the said Ordinance by Title:

#### **ORDINANCE NO. 17-2019**

#### **AN ORDINANCE TO AMEND AND SUPPLEMENT ARTICLE 3-27, PEACE AND GOOD ORDER OF CHAPTER III, POLICE REGULATIONS FOR THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT**

**WHEREAS**, the Borough Council of the Borough of Sea Girt has determined that clarification of Article 3-27.3, Orchestras and Bands; Hours, is necessary.

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

**SECTION 1. Article 3-27.3, ORCHESTRAS AND BANDS** of Article 3-27, Peace and Good Order is hereby amended and supplemented as follows:

#### **3-27.3 Music, amplified; Hours.**

No person, business or organization shall play or permit to be played any music emanating from any sound amplifying equipment within the Borough between the hours of 10:00 PM and 8:00 AM.

**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. Effective Date**

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

MAY 22, 2019

**UPON MOTION** of Councilman Meixsell, seconded by Councilwoman Morris, carried, that the preceding Ordinance be and the same is hereby adopted as amended on first reading, direction the Clerk to post and publish as required by law and setting the data of the public hearing as June 12, 2019.

## Recorded Vote:

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

**B. Resolution No. 87-2019:** To Allow for Active Military and their Dependents and Disabled Veterans to have Free Access to Borough Beaches for 2019

Council President Fetzer asked if the proposed Resolution also applied to disabled veterans; he was advised that it did not. He then asked that the Resolution be amended to include disabled veterans.

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

**WHEREAS**, members of the Armed Forces of the United States, including residents of the Borough of Sea Girt, are today actively engaged in combat operations, or are deployed or otherwise serving in support of those operations, and in support of the on-going efforts of our Armed Forces throughout the world to protect and defend our nation and its citizens; and,

**WHEREAS**, since September 11, 2001, the men and women of the Armed Forces have been called up to active duty status in increasing numbers, and their support and service have been and will continue to be essential to the overall success of military efforts both home and abroad; and,

**WHEREAS**, the Mayor and Borough Council, on behalf of all the families of Sea Girt, wish to honor and recognize our active military personnel and their immediate families and those disabled during their service by establishing a special program for the summer of 2019.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Sea Girt, in honor and recognition of our active-duty military personnel and their families and disabled veterans for the daily sacrifices they are making and to demonstrate the gratitude of the residents of the Borough of Sea Girt, Free beach admission shall be provided during the 2019 season to each member of the active military and their dependents upon the presentation of a valid military identification card at any beach entrance.

**BE IT FURTHER RESOLVED** that disabled veterans must show documentation verifying their status as disabled issued by the Department of Veterans Affairs.

**BE IT FURTHER RESOLVED** that this resolution shall take effect on May 25, 2019 and shall remain in effect through September 2, 2019, inclusive.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be provided to Beach Manager James Freda for distribution to Beach Staff.

Recorded Vote:

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

- B. Resolution No. 88-2019:** Approve Change Order and Supplemental Agreement No. 2 and authorize Payment No. 2 in the amount of \$8,688.68 to Thor Construction Group, LLC for the Project known as Improvements to Baltimore Park

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

**WHEREAS**, the Borough of Sea Girt awarded a contract in the amount of \$181,170 to Thor Construction Group, LLC, West Long Branch, NJ for the Project known as Improvements to Baltimore Park on June 13, 2018 in the amount of \$181,170 amended by Change Order No. 1, approved on November 14, 2018 to a new contract amount of \$185,318; and,

**WHEREAS**, the Borough requested the addition of 181 sq. ft. of paver walkway as specified within the Change Order and Supplemental Agreement No. 2 representing a net increase to the contract of \$2,896.00 and a new contract total of \$188,214.00; and,

**WHEREAS**, the contractor has submitted the Request for Payment #2 in the amount of \$188,214.00 less retainage of 2% or \$3,764.28, less prior payments of \$175,761.04 for a net payment of \$8,688.68 that has been reviewed by the Project Engineer and found to be correct.

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

1. That Change Order and Supplemental Agreement No. 2 representing a net increase to the contract of \$2,896.00 a new contract total of \$188,214.00 be and the same is hereby approved;
2. That Payment No. 2 in the net amount of \$8,688.68 to Thor Construction Group, LLC, West Long Branch, NJ be and the same is hereby approved.

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

1. Thor Construction Group, LLC, W. Long Branch, NJ
2. Peter R. Avakian, Borough Engineer

Recorded Vote:

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

- C. Resolution No. 89-2019:** Approve Payment No. 2 in the amount of \$51,979.20 and Payment No. 3 in the amount of \$113,827.00 to Shore Top Construction Corp., Farmingdale, NJ for the Project known as Improvements to Carriage Way

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

**WHEREAS**, the Borough of Sea Girt awarded a contract to Shore Top Construction Corporation, Farmingdale, NJ for the Project known as Improvements to Carriage Way on November 14, 2018 in the amount of \$265,075 amended by Change Order and Supplement Agreement No. 1 to the new contract amount of \$281,575.00 on February 27, 2019; and,

**WHEREAS**, the contractor submitted the Request for Payment No. 2 in the amount of \$156,410, less retainage of 2% or \$3,122.80 less prior payments of \$101,038.00 for a total due of \$51,979.20 that was reviewed by the Project Engineer and found to be correct; and,,

**WHEREAS**, the contractor has submitted the Request for Payment No. 3 in the amount of \$272,290.00 less retainage of 2% or \$5,445.00 for a net of \$113,827.00 that has been reviewed by the Project Engineer and found to be correct.

**BE IT RESOLVED by the Borough Council of Sea Girt** that Payment No. 2 in the net amount of \$51,979.20 and Payment No. 3 in the net amount of \$113,827.00 to Shore Top Construction Corporation, Farmingdale, NJ be and the same is hereby approved.

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

- Shore Top Construction Corporation, Farmingdale, NJ
- Peter R. Avakian, Borough Engineer
- Chief Financial Officer for further action.

Recorded Vote:

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

- D. Resolution No. 90-2019:** Appoint seasonal beach staff – Gateguards, office staff, and beach crew

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

**WHEREAS**, the Beach Utility is in need of personnel to fill the various staff positions necessary to operate the Borough Beach during the 2019 season; and,

**WHEREAS**, the Beach Manager has recommended the persons listed below for employment with the Borough.

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**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Sea Girt that the following named individuals are hereby appointed as seasonal staff members to be employed in the positions noted at the season or hourly rates listed for the 2019 beach season:

(\*) names listed in ***bold*** type are new hires

**Office: 291**

Jim Freda - Beach Manager	20,500.00
Alanna Cosgrove - Asst. Cashier	12.15
Carol Hanley – Asst. Cashier	12.75
Patricia Summers – Head Cashier	14.00
Jean Trimble – Asst. Cashier	13.00
Doug Megill – Office Assistant	10.00

**Gateguards 293**

Catherine Hersh	8.85
Brianna Bals	9.00 (sub)
Carol Bals	9.50
<b>Chloe Bird</b>	<b>8.85</b>
Frances Bonassisa	9.00
Nina Branch	8.85
<b>Melissa Caracciola</b>	<b>8.85</b>
<b>Ashley Cosucci</b>	<b>8.85</b>
<b>Daniel Dingler</b>	<b>8.85</b>
<b>Conor Egan</b>	<b>8.85</b>
<b>Kristen Egan</b>	<b>8.85</b>
<b>Michael Emmons</b>	<b>8.85</b>
Robin Forish	9.00 (sub)
Christie Freda	9.00
Tommy Freda	9.00
Helen Goss	10.75
Charlie Kane	8.85
<b>Jeff Kelly, Sr.</b>	<b>8.85</b>
Sandy Lattimer	8.85
Nicholas Libertucci	8.85
<b>Madeline Looney</b>	<b>8.85</b>
<b>Molly Lynch</b>	<b>8.85 (sub)</b>
Sofia Major	8.85 (sub)
Anthony Mauro	8.85 (sub)
Joe Pluscauski	9.50
Patty Raffetto	9.00
<b>Sophie Ruggiero</b>	<b>8.85</b>
Sal Sarno	9.00
Delaney Savage	8.85
Ron Scotto	9.00
<b>Printemps Smith</b>	<b>8.85</b>
<b>Brook Stark</b>	<b>8.85 (sub)</b>
<b>Michelle Stecky</b>	<b>8.85</b>

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Jessica Timbrook 8.85  
**Reagan Tripucka 8.85**  
Maggie Weeks 8.85

**Beach Crew: 294**

Jake Bradle 8.85  
Daniel Burns 8.85  
Michael Cariero 8.85  
**Matthew Dailey 8.85**  
**Joey Franklin 8.85**  
**Gavin Guagenty 8.85**  
**Logan Morris 8.85**  
**James O'Brien 8.85**  
**Kyle Peacock 8.85**  
**Elias Sepe 8.85**

**Restroom Attendant**

Norman Goss 13.75

Recorded Vote:

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

- E. **Resolution No. 91-2019:** Re-appoint Registrar, Dawn Harriman and Deputy Registrar, Lorraine Carafa

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

**WHEREAS**, the Borough of Sea Girt currently has a Certified Municipal Registrar, Dawn Harriman; and,

**WHEREAS**, the current terms of the Certified Municipal Registrar and Deputy Municipal Registrar are due to expire and reappointment is necessary.

**NOW THEREFORE BE IT RESOLVED**, that Dawn Harriman be appointed Certified Municipal Registrar for the Borough of Sea Girt, and Lorraine Carafa be appointed Deputy Registrar of the Borough of Sea Girt for the three-year term commencing June 1, 2019.

Recorded Vote:

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



**F. Resolution No. 92-2019:** Appoint full-time DPW laborer, Victor Fraternale

**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 Department of Public Works is in need of the services of full-time laborer to fill a vacancy within the Department; and,

**WHEREAS**, the Manager of the Department has reviewed the applications and references of qualified candidates, and recommends the appointment of Victor Fraternale to the position.

**NOW, THEREFORE, BE IT RESOLVED** that the appointment of Victor Fraternale as full-time laborer for the Department of Public Works of the Borough of Sea Girt, at the salary of \$42,663.90 per year for 40 hours per week, pro-rated as necessary, be and the same is hereby approved effective April 16, 2019.

**BE IT FURTHER RESOLVED** that pursuant to the provisions of the Collective Bargaining Agreement now in effect between the Borough and Teamsters Local No. 97, Mr. Fraternale shall be considered a probationary employee for one-year period from the date of original appointment.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be supplied to Victor Fraternale and Jared McKittrick, Department Manager, for their information and the Chief Financial Officer for his action.

Recorded Vote:

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

**G. Resolution No. 93-2019:** Authorize the Issuance of Taxi Owner License for DM Taxi, LLC and Metwally Transportation, LLC.

**UPON MOTION** of Councilman Meixsell, seconded by Council President Fetzer, 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 DM Taxi, LLC and Metwally Transportation LLC.

Recorded Vote:

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

**H. Resolution No. 94-2019:** 2019-2020 ABC License Renewal, Emerald Shores t/a Harrigan's

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

**WHEREAS**, an application for renewal of Plenary Retail Consumption License #1344-33-001-004 has been submitted by Emerald Shore, Inc. t/a Harrigan's Pub 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 \$2,500.00 to the Borough of Sea Girt; and,

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

**NOW, THEREFORE BE IT RESOLVED** that the Plenary Retail Consumption License #1344-33-001-004, issued to Emerald Shore, Inc. t/a Harrigan's Pub for the premises located at 703 Baltimore Boulevard, Sea Girt, New Jersey be and the same is hereby approved for renewal for the period July 1, 2019 to 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 Meixsell	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilwoman Anthony	X			

**I. Resolution No. 95-2019:** 2019-2020 ABC License Renewal, Rod's Olde Irish Tavern, Inc.

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

**WHEREAS**, an application for renewal of Plenary Retail Consumption License #1344-33-002-005 has been submitted by Rods Olde Irish Ale House, Inc. 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 \$2,500.00 to the Borough of Sea Girt; and,

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

**NOW, THEREFOE BE IT RESOLVED** that the Plenary Retail Consumption License #1344-33-002-005, issued to Rods Olde Irish Ale House, Inc. for the premises located at 507 Washington Boulevard, Sea Girt, New Jersey be and the same is hereby approved for renewal for the period July 1, 2019 to 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 Meixsell	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilwoman Anthony	X			

**J. Resolution No. 96-2019:** Appointment of Candidate to fill the vacancy created by the resignation of William Foley.

Council President Fetzer nominated Mark Clemmensen to fill the vacancy left by the resignation of William Foley through December 31, 2019. The nomination was seconded by Councilwoman Anthony. There being no further nominations, the following Resolution be adopted:

**WHEREAS**, there is presently a Borough Council vacancy resulting from the resignation of Councilman William Foley that was effective on April 30<sup>th</sup>, 2019; and,

**WHEREAS**, since this vacancy occurred prior to September 1 of the next-to-the last year of the term of office and up to the expiration of the term of the officer whose office has become vacant, the New Jersey Municipal Vacancy Law at *N.J.S.A. 40A:16-5(a)*, provides this vacancy may be filled until the next general election held no sooner than sixty (60) days after the occurrence of the vacancy by appointment by the governing body; and,

**WHEREAS**, pursuant to sections 40A:16-7 and 16-8 of the statute such appointment shall be by majority vote of the remaining members of the governing body and that the Mayor shall be permitted to vote only in the case of a tie; and,

**WHEREAS**, *N.J.S.A. 40A:16-11* provides that if the incumbent whose office has become vacant was elected as the nominee of a political party as in the present instance, the municipal committee of the political party shall, no later than fifteen (15) days after the occurrence of the vacancy, present to the governing body the names of three (3) nominees; and further provides the governing body shall, within thirty (30) days after the occurrence of the vacancy, appoint one of the nominees; and,

**WHEREAS**, this statute also provides (a) if the municipal committee fails to submit the names of the nominees within the time prescribed, the governing body may, within the next fifteen (15) days, fill the vacancy by the appointment of a successor from the same political party which nominated the incumbent whose office has become vacant; and (b) if the governing body fails to appoint one of the nominees within the time prescribed, the municipal committee shall, within the next fifteen (15) days, appoint one of the nominees as the successor; and,

MAY 22, 2019

**WHEREAS**, on May 15, 2019 the Sea Girt Municipal Republican Committee presented the names of Mark Clemmensen, Hillary DiFeo, and Alan Zakin to fill the vacancy.

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

1. Mark Clemmensen is hereby appointed to the Borough Council position vacated by William Foley in accordance with the provisions *N.J.S.A. 40A:16-1 et seq.*, the New Jersey Municipal Vacancy Law, for the unexpired term which will expire December 31, 2019.
2. This resolution has been adopted by a majority vote of the remaining members of the governing body.
3. The Borough Clerk is directed to forward a certified copy of this resolution to Mr. Clemmensen and the Sea Girt Municipal Republican Committee.

**Recorded Vote:**

	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Councilman Meixsell	X			
Councilwoman Morris		X		
Council President Fetzer	X			
Councilman Mulroy	X			
Councilwoman Anthony	X			

Mayor Farrell administered the Oath of Office to Councilman Clemmensen and congratulated him on his selection.

- K. Resolution No. 97 -2019:** Authorize the signing of an Agreement with Sea Girt 5K, Inc. allowing for the conduct of a foot race on August 3, 2019, waiving noise ordinance provisions and imposing parking restrictions in conjunction therewith.

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

**WHEREAS**, in previous years the Borough of Sea Girt, a Municipal Corporation of the State of New Jersey, entered into Agreements with the Sea Girt 5K, Inc., a 501(c)3 corporation of the State of New Jersey, for the sponsorship of a 5K race; and,

**WHEREAS**, the Mayor and Council of the Borough of Sea Girt recognize the benefit of this special event to residents of and visitors to the Borough of Sea Girt; and,

**WHEREAS**, the Board of Recreation Commissioners of the Borough of Sea Girt, has determined that in order to provide funds, in whole or part, necessary to improve, maintain and police the playgrounds or recreation places under its control, it would be beneficial to jointly sponsor the Sea Girt 5K run on August 3, 2019; and,

**WHEREAS**, the Mayor and Council and Sea Girt 5K, Inc. wish to enter into an Agreement to jointly conduct the Sea Girt 5K in 2019.

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

1. Sea Girt 5K, Inc. will conduct the foot race to be held on August 3, 2019, not to exceed five kilometers, as well as children's races, live music and activities;
2. Sea Girt 5K, Inc. will provide acceptable insurance and a release to the Borough having the Borough named as additional insured against liability and property damage for the purpose of the event. Sea Girt 5K, Inc. shall deliver to the Borough prior to the event a certificate evidencing minimum coverage in the amounts of one million dollars (\$1,000,000) per occurrence.
3. Sea Girt 5K, Inc. will provide evidence satisfactory to the Borough that it is a validly organized not-for-profit corporation of the State of New Jersey and will be so as of the date of the event.
4. The Borough of Sea Girt will permit the use of its roadways, provide police, emergency, and public works department assistance and provide insurance under the terms of its general liability insurance policy on August 3, 2019, the day of the race.
5. Sea Girt 5K, Inc. will pay over to the Borough of Sea Girt not less than 90% of the participation fees in the 5K Run/Walk and not less than 90% of the participation fees in the Kids' Races.
6. The net proceeds of the entry fees collected by Sea Girt 5K, Inc. after deduction of the expenses set forth in Section 5, above shall be retained by the Sea Girt 5K, Inc. for use and or charitable donations to be made in the sole discretion of Sea Girt 5K, Inc.
7. The Sea Girt Noise Ordinance is hereby waived between the hours of 7:30 AM to 8:00 AM, inclusive, on August 3, 2019.
8. The Sea Girt Police Department shall create a 'No Parking' Zone at the Plaza and along Washington Boulevard to Sixth Avenue from Midnight through 12:00 Noon, inclusive, on August 3, 2019.

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

1. Sea Girt 5K, Inc.
2. Chief Kevin Davenport, SGPD

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			

8. **ADMINISTRATOR REPORTS/DISCUSSION**

- **Beach News:**
  - The Pavilion will be open for badge pick-up during the week of May 20 – 24, inclusive;
  - Beach opens this Saturday, May 25 for weekends only through June 15; thereafter open daily through Labor Day, September 2. Season badges are still available for purchase;
  - **Boardwalk Reminders** – no smoking or vaping on the beach or boardwalk; dogs are not permitted on the Borough's Boardwalk at any time; dogs are now prohibited from the Borough beach through September 30, 2019. We appreciate your cooperation.
- **Primary Election** is scheduled for June 4; polls will be open from 6:00 AM to 8:00 PM; if you are unable to vote in person, voters can complete a Vote by Mail application, which can be obtained from the County Clerk's Elections website at [www.MonmouthCountyVotes.com](http://www.MonmouthCountyVotes.com) or by downloading the free Monmouth County Votes Mobile App. Voters can obtain an application in person by visiting the County Clerk's Elections Office at 300 Halls Mill Road in Freehold or the Municipal Clerk of their hometown. Please note that applications to Vote by Mail that are sent by U.S. Mail must be received by the County Clerk's Elections Office seven days before an election. For the June 4 Primary Election, that date is Tuesday, May 28.

9. **QPA REPORTS:** None

10. **COUNCIL REPORTS:** Councilpersons Clemmensen, Meixsell, Morris and Anthony had no reports.

- Councilman Mulroy reported the beach is open and the beach crew is working hard to get the beach ready.
- Council President Fetzer reported the Asset Management Plan has been submitted to the State pursuant to the statutory deadline.
- Mayor Farrell reported as follows:
  - SMRSA has requested a shared services agreement with the Borough to include a valve replacement close to the area of work in the Borough's Eighth Ave. project; The Clerk advised that further information is necessary before proceeding.
  - Weekly recycling begins on June 12.

11. **Resolution No. 98-2019:** 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 May 17, 2019 in the totals as follows:

CURRENT FUND	\$ 430,621.23
WATER/SEWER OPERATING FUND	\$ 8,976.96
BEACH OPERATING FUND	\$ 15,202.28
RECREATION TRUST FUND	\$ 306.73
DOG TRUST FUND	\$ 35.40
CAPITAL FUND	\$ 134,826.22
BEACH CAPITAL FUND	\$ 21,949.53
WATER CAPITAL FUND	\$ 18,014.33

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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			

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

Carolyn Carilli, The Terrace, asked if the noise ordinance could be applied to barking dogs; she was advised to report any disturbance to the Police Department. She also commented on traffic issues near The Parker House; she also suggested adding patrolman to the intersections.

Ms. Bosset, Chicago Boulevard, read a letter to Council expressing her dismay with the situation created by the patrons of The Parker House that is adversely affecting the residents living in the vicinity of the establishment.

Jen Coombs, "Citizen Journalist", stating that she is recording events in the vicinity of The Parker House every Friday, Saturday and Sunday and streams video on YouTube; her stated goal is to create an objective record of events.

Catherine Metcalf, Ocean Avenue, read a statement regarding parking and other issues associated with The Parker House and stated that in her opinion, the failure of The Parker House management to address issues created by their patrons and further stated her opposition to the location of the loading zone on Ocean Avenue.

Robin Koenig, Beacon Boulevard, stated that in her opinion, the Borough should want the drop off (loading zone) closer to The Parker House.

There being no further comments, and **UPON MOTION** of Councilman Meixsell, seconded by Councilman Meixsell, the public hearing was closed.

Councilman Meixsell responded to Mrs. Metcalf comments saying that discussion of limiting parking on Beacon Boulevard was not introduced as an Ordinance, it was a proposal under consideration; he then noted that The Parker House has a variance for the toilet trailer on their premises and that the occupancy is determined by State Inspector. Mayor Farrell commented the Borough is about doing the right thing; we have an obligation to public safety.

There being no further business, and **UPON MOTION** of Councilwoman Morris, seconded by Councilman Meixsell, carried, that the meeting be finally adjourned at 10:15 PM.

*Lorraine P. Carafa*

LORRAINE P. CARAFA, RMC  
Municipal Clerk

May 17, 2019  
12:57 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
18-00587	06/19/18	THOR	Thor Construction Group, LLC	Improvement to Baltimore Park	Open	8,688.68	0.00 B
18-00766	08/16/18	01149	MOTOROLA SOLUTIONS INC	Reinstallation of radio equipm	Open	1,439.20	0.00
18-01052	11/14/18	SHORETOP	Shore Top Construction Corp.	Carriage Way Improvements	Open	113,827.00	0.00 B
19-00019	01/09/19	00774	BOROUGH OF BRIELLE	Interlocal Gasoline	Open	3,307.82	0.00 B
19-00020	01/09/19	00964	A'S GARDEN & HOME CENTER	Misc Supplies	Open	76.51	0.00 B
19-00024	01/09/19	00099	ASSOCIATED HUMANE SOCIETY	2019 Animal Control Service	Open	463.00	0.00 B
19-00025	01/09/19	00008	AT&T	Library, Fire Phone Service	Open	54.12	0.00 B
19-00028	01/09/19	CLF01	Carton Law Firm	Prosecutor	Open	953.75	0.00 B
19-00030	01/09/19	00233	Copy Center Inc.	PD & Clerk Maintenance	Open	498.61	0.00 B
19-00031	01/09/19	00136	THE COAST STAR	2019 Legal Ads	Open	42.70	0.00 B
19-00033	01/09/19	00552	EDWARDS TIRE CO.	Flat Repair & Vehicle Maintena	Open	141.95	0.00 B
19-00034	01/09/19	FARMINGD	Farmingdale Recycling	Recycling	Open	1,010.03	0.00 B
19-00037	01/09/19	GREER	Greer Law Firm	2019 Public Defender	Open	250.00	0.00 B
19-00043	01/09/19	LEVEL3	Level 3	2019 Service	Open	955.14	0.00 B
19-00046	01/09/19	MAZZA	Mazza Mulch, Inc.	Brush Recycling	Open	1,740.00	0.00 B
19-00047	01/09/19	00040	MONMOUTH COUNTY TREASURER	Tipping Fees	Open	5,168.90	0.00 B
19-00048	01/09/19	01166	MONTENEGRO, THOMPSON, ET ALS.	2019 Legal Services	Open	20,395.67	0.00 B
19-00051	01/09/19	00089	BOROUGH OF MANASQUAN	2018 Water Bills	Open	852.66	0.00 B
19-00052	01/09/19	01258	NJ American Water	2019 Public Fire Service	Open	92.00	0.00 B
19-00055	01/09/19	00068	OLD TOWNE CAR WASH INC.	Car Washing	Open	176.00	0.00 B
19-00056	01/09/19	00614	Optimum	Beach, DPW, Police	Open	771.98	0.00 B
19-00057	01/09/19	00321	SEABOARD WELDING SUPPLY, INC.	Gas Delivery	Open	27.00	0.00 B
19-00059	01/09/19	00889	STATE OF NEW JERSEY	Dog License Fees	Open	35.40	0.00 B
19-00061	01/09/19	SBS01	Stewart Business Systems	Stewart Business System	Open	45.53	0.00 B
19-00073	01/10/19	TU01	Transunion Risk & Alternative	Background Searchers	Open	50.00	0.00 B
19-00078	01/10/19	00053	VAN WICKLE AUTO SUPPLY	Miscellaneous Parts	Open	339.79	0.00 B
19-00079	01/10/19	00007	VERIZON	Verizon Service	Open	232.02	0.00 B
19-00080	01/10/19	00349	VERIZON WIRELESS	Verizon Wireless	Open	268.37	0.00 B
19-00125	01/18/19	00045	SEA GIRT BOARD OF ED	1st half 2019 School Tax	Open	383,636.00	0.00 B
19-00179	02/04/19	01058	ALLIED FIRE & SAFETY EQUIP. CO	Fire Extinguisher Inspections	Open	681.20	0.00
19-00186	02/05/19	GOLDSTIE	The Goldstein Partnership	Preliminary designs Library	Open	1,770.00	0.00 B
19-00195	02/06/19	00136	THE COAST STAR	Hydrant flushing	Open	230.40	0.00 B
19-00209	02/13/19	TREETOP	Treetop Products, Inc.	Trash/Recycling containers	Open	48,687.12	0.00
19-00300	03/14/19	01542	KUBE PAK	Flower order	Open	1,046.80	0.00
19-00301	03/15/19	01542	KUBE PAK	Potting Soil	Open	170.00	0.00
19-00308	03/18/19	01820	METUCHEN CENTER INC	Beach staff shirts	Open	1,862.89	0.00
19-00361	04/03/19	00074	MURRAY'S UNIFORMS	Uniform shorts, Bradford	Open	59.90	0.00
19-00363	04/03/19	00074	MURRAY'S UNIFORMS	Uniform shorts, Dudak	Open	59.90	0.00
19-00365	04/03/19	00074	MURRAY'S UNIFORMS	Uniform shorts, Hasting	Open	59.90	0.00
19-00366	04/03/19	00074	MURRAY'S UNIFORMS	Uniform shorts, Kudisch	Open	59.90	0.00
19-00367	04/03/19	00074	MURRAY'S UNIFORMS	Uniform shorts, MacCanico	Open	59.90	0.00
19-00368	04/03/19	00074	MURRAY'S UNIFORMS	Uniform shorts, Morris	Open	59.90	0.00
19-00370	04/03/19	00074	MURRAY'S UNIFORMS	Uniform shorts, Pickell	Open	59.90	0.00
19-00372	04/03/19	00074	MURRAY'S UNIFORMS	Uniform shorts, Wagner	Open	59.90	0.00
19-00413	04/08/19	OPDYKE	Opdyke Awnings, Inc.	Replacement Awning	Open	4,385.00	0.00
19-00418	04/09/19	01479	CHERRY VALLEY TRACTOR SALES	Glass for New Holland Cab	Open	245.60	0.00
19-00428	04/15/19	ACCESS	AccessRec, LLC	Accessmat Beach	Open	2,202.65	0.00
19-00431	04/15/19	WG01	WatchGuard, Inc.	Vista Shirt Clip	Open	304.00	0.00
19-00433	04/15/19	01479	CHERRY VALLEY TRACTOR SALES	bushing/ shock absorber	Open	79.33	0.00
19-00434	04/16/19	EPIC SP	Epic Sports	Pole Pads	Open	306.73	0.00



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PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
19-00441	04/17/19	01922	POWERHOUSE SIGNWORKS	Taxi decals	Open	225.00	0.00
19-00445	04/18/19	01659	AARON & COMPANY	additional items	Open	313.15	0.00
19-00457	04/23/19	01232	FALKINBURG'S TREE EXPERT CO.	Spring Tree planting	Open	3,200.00	0.00
19-00459	04/24/19	01076	ATLANTIC CLUB	Lifeguard testing	Open	300.00	0.00
19-00463	04/24/19	01341	BRY'S MARINE	Requisition Request 19-103	Open	47.00	0.00
19-00465	04/25/19	01232	FALKINBURG'S TREE EXPERT CO.	Prune & trim trees	Open	3,850.00	0.00 B
19-00477	04/29/19	00169	GOODYEAR TIRE CRAFT	Requisition Request 19-107	Open	46.00	0.00
19-00479	04/29/19	00459	YARDVILLE SUPPLY CO.	Requisition Request 19-110	Open	2,222.50	0.00
19-00480	04/29/19	00964	A'S GARDEN & HOME CENTER	Misc.	Open	189.84	0.00 B
19-00481	04/29/19	01686	W.B. MASON COMPANY, INC.	Misc	Open	42.30	0.00
19-00482	04/29/19	KOMATSU	Komatsu Northeast	hose	Open	118.82	0.00
19-00484	04/29/19	ZERO	Zero Waste USA	Pet waste bags	Open	199.94	0.00
19-00486	04/29/19	00334	HOME DEPOT CREDIT SERVICES	misc	Open	263.28	0.00
19-00487	04/29/19	00081	NJ ST.ASSOC., CHIEFS of POLICE	Re-Accreditation 1 of 3	Open	1,332.00	0.00
19-00488	04/29/19	00774	BOROUGH OF BRIELLE	Interlocal, Fuel pump repairs	Open	76.00	0.00
19-00492	05/01/19	MERGNER	Theresa L Mergner	Additional balloons	Open	50.00	0.00
19-00495	05/02/19	COWLEYS	Cowleys Pest Services	117 Seaside Pl	Open	150.00	0.00
19-00497	05/02/19	HARRIMAN	Dawn Harriman	Reimbursement	Open	48.66	0.00
19-00498	05/02/19	01931	LORRAINE P. CARAFA	reimbursement	Open	39.99	0.00
19-00499	05/02/19	KENMAR	Kenmar Development, LLC	Refund, R76-2019	Open	4,200.00	0.00
19-00500	05/02/19	TOXICOLO	State Toxicology Laboratory	Applicant drug testing	Open	405.00	0.00
19-00501	05/03/19	01659	AARON & COMPANY	Additional supplies for reno	Open	65.74	0.00
19-00502	05/03/19	00524	MUELLER'S FLORIST	Blanket	Open	55.00	0.00 B
19-00504	05/07/19	00958	M & W COMMUNICATIONS, INC.	Move equipment for renovation	Open	157.50	0.00 B
19-00505	05/07/19	01250	SHERWIN WILLIAMS	Curb & street painting	Open	30.36	0.00 B
19-00508	05/07/19	KINTECH	Kintech, Inc.	Summer recreation Posters	Open	20.88	0.00
19-00510	05/07/19	J001	Jaeger Lumber	Requisition Request 19-116	Open	103.46	0.00
19-00512	05/08/19	00089	BOROUGH OF MANASQUAN	Interlocal, Jetvac repairs	Open	673.69	0.00
19-00520	05/13/19	00964	A'S GARDEN & HOME CENTER	STAKE TREES	Open	54.13	0.00
19-00521	05/13/19	ROCKET	Rocket Software Inc.	software renewal	Open	311.87	0.00
19-00527	05/13/19	00078	NJ STATE LEAGUE OF MUN.	Magazine renewal	Open	75.00	0.00
19-00528	05/13/19	01931	LORRAINE P. CARAFA	Reimbursement	Open	146.84	0.00
19-00533	05/16/19	01741	PATRICIA PETERSON	Reimbursement	Open	42.63	0.00
19-00535	05/17/19	GATEWAY	Gateway Cleaning Equipment LLC	Repair power washer	Open	385.35	0.00

Total Purchase Orders:	84	Total P.O. Line Items:	0	Total List Amount:	627,432.68	Total Void Amount:	0.00
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Patricia Summers	Beach Change Fund	2,500.00
	Total	629,932.68

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Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
BEACH OPERATING	8-09	1,439.20	0.00	1,439.20	0.00	0.00	1,439.20
CURRENT FUND	9-01	430,621.23	0.00	430,621.23	0.00	0.00	430,621.23
WATER OPERATING	9-05	4,776.96	0.00	4,776.96	4,200.00	0.00	8,976.96
BEACH OPERATING	9-09	<del>9,378.08</del> <del>6,878.08</del>	4,385.00	11,263.08	0.00	0.00	11,263.08
BOARD OF RECREATI	9-26	306.73	0.00	306.73	0.00	0.00	306.73
DOG LICENSE TRUST	9-32	35.40	0.00	35.40	0.00	0.00	35.40
Year Total:		442,618.40	4,385.00	447,003.40	4,200.00	0.00	451,203.40
BEACH CAPITAL	B-08	21,949.53	0.00	21,949.53	0.00	0.00	21,949.53
GENERAL CAPITAL	C-04	134,826.22	0.00	134,826.22	0.00	0.00	134,826.22
WATER CAPITAL	W-06	18,014.33	0.00	18,014.33	0.00	0.00	18,014.33
Total of All Funds:		<del>618,847.68</del> 621,347.68	4,385.00	623,232.68	4,200.00	0.00	<del>627,432.68</del> 629,932.68