

MINUTES - REGULAR MEETING
March 13, 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, March 13, 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		
Councilman Foley		
Councilman Meixsell		
Councilwoman Morris		
Council President Fetzer		
Councilman Mulroy		
Councilwoman Anthony		

- 2. Resolution No. 48-2019:** Appoint Nicholas Irizarry as Probationary Patrolman, Sea Girt Police Department

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

WHEREAS, the Borough of Sea Girt has the need to fill a vacancy in the Sea Girt Police Department effective March 16, 2019; and,

WHEREAS, Captain Justin Macko has recommended that Nicholas Irizarry be appointed to this position; and,

WHEREAS, the Chief Financial Officer certifies that funds are available in the 2019 Temporary Budget of the Borough to fund this salary and provision will be made for this salary in finally adopted and future budgets of the Borough.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council hereby appoints Nicholas Irizarry to the position of Probationary Patrolman effective March 16, 2019 at the starting salary of \$47,754.36 and authorizes Mayor F. Ken Farrell to administer the Oath of Office to Mr. Irizarry.

Recorded Vote:

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

Mayor Farrell administered the Oath of Office to Patrolman Irizarry and offered his congratulations.

3. MINUTES

A. Resolution No. 49-2019: Approve Minutes, Regular Meeting held February 27, 2019:

UPON MOTION of Councilman Mulroy, seconded by Councilwoman Anthony, carried, that the Minutes of the Regular Meeting held February 27, 2019 be and the same are hereby approved as presented.

Recorded Vote:

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

4. OPEN DISCUSSION –

Councilman Meixsell noted the letter to the editor regarding Carriage Way had some information that was incorrect particularly the “land grab.” He stated that presentations made to the public during the period that this project was under discussion explained that many existing driveways are on Borough property as permitted by the Borough Code, with many far exceeding the amount of property that has been discussed. Councilman Meixsell further explained the need to provide fire access.

Mayor Farrell explained there is an existing driveway ordinance written in 1970 to allow for ingress and egress from property to the homes along Carriage Way. The letters to the editor contain factual errors including the comparison to another situation.

Councilwoman Anthony noted she will be working with volunteers to clean up both Edgemere and Crescent Parks. She read a letter from Chief Scipione regarding the concerns on fire safety in Edgemere Park.

5. OLD BUSINESS

A. Ordinance No. 04-2019: Public hearing/possible adoption

1. The Mayor read the said Ordinance by Title, advising of its publication in its entirety in Asbury Park Press on March 2, 2019:

ORDINANCE NO. 04-2019

AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF CHAPTER XX, FIRE PREVENTION AND PROTECTION OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT, MONMOUTH COUNTY

BE IT ORDAINED BY THE COUNCIL of the BOROUGH OF SEA GIRT as follows:

Section 1. Section 20-1.5, Permit Fees, is hereby revised as follows:

- a. Fees for permits as set forth in subsection 20-1.4, above:

<i>Type Use</i>	<i>Permit Type</i>	<i>Permit Fee</i>
Type I	Fire Code Permit	\$54.00
Type II	Fire Code Permit	\$214.00
Type III	Fire Code Permit	\$427.00
Type IV	Fire Code Permit	\$641.00

Local Permits. Local Permit Type I fee is \$54.00.
(Ord. No. 10-2010 § 6)

Section 2. Section 20-1.8 Registration Fees, is hereby amended and revised as follows:

- a. Section 20-1-8.a.3. Fees:

<i>Type Use</i> <i>(Non-Life Hazards)</i>	<i>Structure/Occupant/Size</i> <i>(Square Footage Total)</i>	<i>Required Fees</i> <i>(Per Registration)</i>
Type A	0 – 3,000	\$ 65.00
Type B	3,001 – 5,000	\$100.00
Type C	5,001 and over	\$250.00
Type D	Common Area	\$75.00
Type V	Vacant Tenant Space	\$45.00

- b. Section 5 is hereby amended and revised as follows:

5. All multiple family dwellings whereas herein defined shall be classified as Type D use and shall be subject to registration and fees as set forth herein with the exception that the full fee shall be paid for only one structure, with the remaining structures subject to a fee of half of that set forth for other Type D uses.

(Ord. No. 10-2010 § 9)

6. Where there is a commercial space that is vacant from a tenant greater than 6 months, inspections shall be scheduled and conducted on a semi-annual basis. Permit fees shall be an annual Type V permit.

Section 3. Section 20-1.9, Site Plan Review is hereby amended and revised as follows:

a. The Fire Prevention Officer, in accordance with the New Jersey Uniform Fire Code, shall review any commercial site or major subdivision plan for the purpose of fire prevention, as to the location and size of fire lanes, zones and areas, water mains, drafting locations, fire hydrants, and any other such information as the Sea Girt Fire Department and/or their designated agents may deem necessary or be required.

b. Submission of plans to the Bureau shall include any plans submitted to the Planning/Zoning Board for the development, construction or improvement of commercial properties in the Borough.

c. Said reviews shall include, but not be limited to, any construction or improvement of any use group, as defined in Chapter 3 of the latest edition of the International Building Code adopted by the State of New Jersey, as amended.

d. *Fees for Review.* Each applicant shall pay the following fees to the Bureau for review of any site or subdivision plans:

<i>Type</i>	<i>Fees</i>
Major or Commercial site plan	\$250.00
Major subdivision	\$250.00
Abridged	\$100.00
Re-review	\$100.00, only after the initial application and one review of the same has been undertaken.

(Ord. No. 10-2010 § 10)

Section 4. Section 20.3, MAXIMUM CAPACITY OF PREMISES LICENSED TO SELL OR SERVE ALCOHOLIC BEVERAGES is hereby deleted in its entirety.

Section 6. If any articles, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared severable.

Section 7. All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior Ordinances, the provisions hereof shall be determined to govern.

Section 8. This Ordinance shall take effect twenty (20) days after adoption and final publication as required by law.

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

There were no comments from the public, and **UPON MOTION** of Councilman Mulroy, seconded by Councilwoman Morris, carried, the public hearing was closed.

UPON MOTION of Councilman Mulroy, seconded by Councilman Morris, carried, that the said Ordinance No. 04-2019 be adopted on final reading, as amended, directing the Clerk to post and publish as required by law.

Recorded Vote:

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

B. Ordinance No. 06-2019: Public hearing/possible adoption

1. The Mayor read the said Ordinance by Title, advising of its publication in its entirety in Asbury Park Press on March 2, 2019 and noted that Ordinance approves \$565,000 in projects and \$446,000 authorization of bonds/ notes.

BOND ORDINANCE NO. 06-2019

BOND ORDINANCE PROVIDING FOR VARIOUS 2019 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$565,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$446,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Sea Girt, in the County of Monmouth, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$565,000, said sum being inclusive of a down payment in the aggregate amount of \$119,000 for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$565,000 appropriation not provided for by application hereunder of the down payment, negotiable bonds of the Borough are hereby authorized to be issued in the aggregate principal amount not exceeding \$446,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in an aggregate principal amount not exceeding \$446,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued include, but are not limited to, as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Road Projects – Improvements To Washington Boulevard And Eighth Avenue;	\$325,000	\$220,000	\$105,000	20 years
(ii) Police Department – Acquisition, Installation And/Or Undertaking, As Applicable, Of A 2019 Non-Passenger Police Interceptor Vehicle And Accompanying Equipment, Computer Improvements, Traffic Safety Improvements And Signage, ID-Card System, And Various Improvements To The Police Building;	\$89,000	\$84,000	\$5,000	5.51 years
(iii) Public Works – Acquisition, Installation And/Or Undertaking, As Applicable, Of A Ford F-350 Truck And Accompanying Plow And Lighting Equipment, An Electronic Sign, Traffic Safety Improvements And Signage, And A Podium and Public Address System;	\$48,000	\$45,000	\$3,000	7.6 years
(iv) Fire Department – Acquisition Of, And Installation As Applicable, Of Various Fire Equipment Including, But Not Limited To, Turn-Out Gear, Breathing Apparatus Or Other Fire Fighting Equipment; And	\$45,000	\$42,000	\$3,000	5 years
(v) Administration and Parks – Improvements To Crescent Park - Phase III And Acquisition, Installation And Undertaking, As Applicable, Of Website Improvements	\$58,000	\$55,000	\$3,000	13.62 years
TOTALS	<u>\$565,000</u>	<u>\$446,000</u>	<u>\$19,000</u>	<u>14.08</u>

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$446,000.

(c) The aggregate estimated cost of said improvements or purposes is \$550,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payment available for said purposes.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, preparation of plans and specifications, permits, bid documents, contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

SECTION 4. In the event the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Monmouth and/or a private entity shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, is on file in the Office of the Clerk of the Borough and is available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 14.08 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$432,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$111,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements herein before described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

There were no comments from the public, and **UPON MOTION** of Councilwoman Morris, seconded by Councilwoman Anthony, carried, the public hearing was closed.

UPON MOTION of Councilman Mulroy, seconded by Councilman Foley, carried, that the said Ordinance No. 06-2019 be adopted on final reading, as amended, directing the Clerk to post and publish as required by law.

Recorded Vote:

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

C. Ordinance No. 08-2019: Public hearing/possible adoption

1. The Mayor read the said Ordinance by Title, advising of its publication in its entirety in Asbury Park Press on March 2, 2019:

ORDINANCE NO. 08-2019

AN ORDINANCE PROVIDING FOR THE PURCHASE OF EQUIPMENT FOR THE BOROUGH OF SEA GIRT POLICE DEPARTMENT AND IMPROVEMENTS TO THE DPW CAMPUS, PROVIDING FOR THE COST THEREOF FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH, NEW JERSEY

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

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

DESCRIPTION OF IMPROVEMENT/EQUIPMENT	TOTAL ESTIMATED COST	FUNDS ON HAND	APPROPRIATED FROM CIF
Alcotest Implementation Project	\$23,000	\$16,000 (DWI Fund)	\$7,000
Body Cam Replacement	\$5,000	-0-	\$5,000
DPW Campus Improvements	\$15,000	\$9,000	\$6,000

Section 2. The improvements or services requested as stated above are general improvements, services for general improvements or equipment purchases that the Borough may lawfully undertake and the amount appropriated therefor is \$43,000.

Section 3. No debt is to be issued for said improvements and the cost of said improvements is to be financed from the funds are presently on hand or accumulated in the Capital Improvement Fund or appropriated in the 2019 Temporary Budget appropriation for the Capital Improvement Fund of the Borough of Sea Girt.

Section 4. Repeal, Severability.

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

Section 5. Effective Date

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

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

There were no comments from the public, and **UPON MOTION** of Councilman Foley, 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. 08-2019 be adopted on final reading, as amended, directing the Clerk to post and publish as required by law.

Recorded Vote:

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

D. Ordinance No. 09-2019: Public hearing/possible adoption

1. The Mayor read the said Ordinance by Title, advising of its publication in its entirety in Asbury Park Press on March 2, 2019:

ORDINANCE NO. 09-2019

AN ORDINANCE PROVIDING FOR THE PURCHASE OF EQUIPMENT FOR THE WATER-SEWER UTILITY AND SECURITY UPGRADES TO CRITICAL INFRASTRUCTURE PROVIDING FOR THE COST THEREOF FROM THE WATER-SEWER UTILITY CAPITAL IMPROVEMENT FUND OF THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH, NEW JERSEY

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

Section 1. The Borough Council of the Borough of Sea Girt wishes to undertake security upgrades to critical infrastructure and purchase equipment for the Water-Sewer Utility (to be shared with DPW) in the Borough of Sea Girt as listed below:

DESCRIPTION OF IMPROVEMENT/EQUIPMENT	TOTAL ESTIMATED COST	OTHER FUNDS	APPROPRIATED FROM W-S CIF
Ford F-350 with plow and lights	\$40,000	\$20,000 (General Capital)	\$20,000
Security Upgrades, Critical Infrastructure	\$25,000	-0-	\$25,000

Section 2. The improvements requested as stated above are improvements or equipment purchases that the Borough may lawfully undertake for the Water-Sewer Utility and the amount appropriated therefor is \$65,000.

Section 3. No debt is to be issued for said improvements and the cost of said improvements is to be financed from the funds are presently on hand or accumulated in the Water-Sewer Capital Improvement Fund or appropriated in the 2019 Temporary Utility Budget appropriation for the Capital Improvement Fund of the Borough of Sea Girt.

Section 4. Repeal, Severability.

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

Section 5. Effective Date

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

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

There were no comments from the public, and **UPON MOTION** of Councilman Foley, seconded by Councilwoman Anthony, carried, the public hearing was closed.

UPON MOTION of Councilwoman Morris, seconded by Councilman Mulroy, carried, that the said Ordinance No. 09-2019 be adopted on final reading, as amended, directing the Clerk to post and publish as required by law.

Recorded Vote:

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

E. Ordinance No. 10-2019: Public hearing/possible adoption

1. The Mayor read the said Ordinance by Title, advising of its publication in its entirety in Asbury Park Press on March 2, 2019:

ORDINANCE NO. 10-2019

AN ORDINANCE PROVIDING FOR INFRASTRUCTURE IMPROVEMENTS AND PROVIDING FOR THE COST THEREOF FROM THE BEACH UTILITY CAPITAL IMPROVEMENT FUND OF THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH, NEW JERSEY

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

Section 1. The Borough Council of the Borough of Sea Girt wishes to undertake to infrastructure improvements for the Beach Utility in the Borough of Sea Girt as listed below:

DESCRIPTION OF IMPROVEMENT	TOTAL ESTIMATED COST	APPROPRIATED FROM BEACH CIF
Retaining Wall Replacement	\$65,000	\$65,000

Section 2. The improvements requested as stated above are beach infrastructure improvements that the Borough may lawfully undertake and the amount appropriated therefor is \$65,000.

Section 3. No debt is to be issued for said improvements and the cost of said improvements is to be financed from the funds are presently on hand or accumulated in the Beach Capital Improvement Fund or appropriated in the 2019 Temporary Utility Budget appropriation for the Capital Improvement Fund of the Borough of Sea Girt Beach Utility.

Section 4. Repeal, Severability.

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

Section 5. Effective Date

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

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

There were no comments from the public, and **UPON MOTION** of Councilman Mulroy, seconded by Councilwoman Anthony, carried, the public hearing was closed.

Councilman Mulroy requested that the residents in the area be notified when the project is expected to start.

UPON MOTION of Councilman Mulroy, seconded by Councilwoman Anthony, carried, that the said Ordinance No. 10-2019 be adopted on final reading, as amended, directing the Clerk to post and publish as required by law.

Recorded Vote:

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

F. Ordinance No. 11-2019: Public hearing/possible adoption

1. The Mayor read the said Ordinance by Title, advising of its publication in its entirety in Asbury Park Press on March 2, 2019:

ORDINANCE NO. 11-2019

ORDINANCE TO REALLOCATE A PORTION OF THE BALANCE OF GENERAL CAPITAL IMPROVEMENT AUTHORIZATION ENTITLED "IMPROVEMENTS TO OCEAN AVENUE" NOT NEEDED FOR ITS ORIGINAL PURPOSE TO THE NEW PROJECT IMPROVEMENTS TO WASHINGTON BOULEVARD AND EIGHTH AVENUE IN THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH, NEW JERSEY AND CANCEL THE REMAINING BALANCE TO THE ORIGINAL SOURCE OF FUNDS

WHEREAS, the Borough Council of the Borough of Sea Girt, in the County of Monmouth, New Jersey (the "Borough"), heretofore finally adopted Ordinance No. 04-2018 on March 14, 2018 for the Project known as Improvements to Ocean Avenue; and,

WHEREAS, as of the date of adoption of this ordinance, the Improvements authorized in Ordinance No. 04-2018 have been completed and there remains uncommitted balance of \$99,665.68; and,

WHEREAS, the Borough now desires to reallocate \$90,000 of the above-stated balance remaining in this Ordinance to the new Project entitled Improvements to Washington Boulevard and Eighth Avenue and the balance of \$9,665.68 to the original source of funds, the Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED BY the Council of the Borough of Sea Girt, in the County of Monmouth, New Jersey as follows:

Section 1. The Borough hereby reallocates \$90,000 of the uncommitted balance in Improvement Authorization No. C-04-55-554-501 to the new project entitled Improvements to Washington Boulevard and Eighth Avenue.

Section 2. The Borough Council hereby cancels the remaining uncommitted balance of \$9,665.68 to the original source of funds, the Capital Improvement Fund.

Section 3. Repeal, Severability.

a. All ordinances or parts of ordinances inconsistent herewith are repealed, but only to the extent of such inconsistency.

b. If any section, paragraph, subparagraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subparagraph, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

Section 4. Effective Date

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

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

There were no comments from the public, and **UPON MOTION** of Councilman Mulroy, seconded by Councilwoman Anthony, carried, the public hearing was closed.

UPON MOTION of Councilwoman Morris, seconded by Councilman Meixsell, carried, that the said Ordinance No. 11-2019 be adopted on final reading, as amended, directing the Clerk to post and publish as required by law.

Recorded Vote:

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

G. Ordinance No. 12-2019: Public hearing/possible adoption

1. The Mayor read the said Ordinance by Title, advising of its publication in its entirety in Asbury Park Press on March 2, 2019:

ORDINANCE NO. 12-2019

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VI, ALCOHOLIC BEVERAGE CONTROL, ADDING SECTION 6-7 OF THE CODE OF THE BOROUGH OF SEA GIRT ENTITLED "EMPLOYEE REGULATIONS IN FACILITIES HOLDING A PLENARY RETAIL CONSUMPTION LICENSE, PLENARY RETAIL DISTRIBUTION LICENSE, AND/OR SEASONAL PLENARY RETAIL CONSUMPTION LICENSE FOR ALCOHOLIC BEVERAGES"

BE IT ORDAINED by the Borough of Sea Girt of the County of Monmouth of the State of New Jersey that The Borough of Sea Girt's Code of Ordinances, Chapter VI, Section 6-8 shall be amended in its entirety as follows:

Section 1. Section 6-7 – Employee Regulation in facilities holding a Plenary Retail Consumption License, Plenary Retail Distribution License, Seasonal Plenary Retail Consumption License and/or Club License for alcoholic beverages.

Section 6-7.1 – Employee Regulations; identification card; fees.

A. Information of employees to Police Department

- (1) Every person, partnership or corporation holding any Plenary Retail Consumption License, any Plenary Retail Distribution License, Seasonal Plenary Retail Consumption License, or any Club License issued or to be issued in the Borough of Sea Girt shall furnish to the Sea Girt Police Department the name, address, date of birth and social security number of each employee who is required to register with the police in

Subsection B. The names, addresses, dates of birth and social security numbers shall be furnished to the Police Department prior to the commencement of such employment.

- (2) Every person, partnership or corporation holding any Plenary Retail Consumption License, any Plenary Retail Distribution License, Seasonal Plenary Retail Consumption License or any Club License issued or to be issued in the Borough of Sea Girt shall be required to notify employees prior to their employment of their requirement to register with the police in Subsection B.
 - (3) Every person, partnership or corporation holding any Plenary Retail Consumption License, any Plenary Retail Distribution License, Seasonal Plenary Retail Consumption License or any Club License issued or to be issued in the Borough of Sea Girt shall not employ any person who is required to register with the police or Division of Alcoholic Beverage Control who has failed, neglected or refused to do so.
- B. Registration with Police. All persons who shall sell, solicit the sale of, mix, process or prepare any alcoholic beverage at or from any bar or establishment selling alcoholic beverages from the original package or container under a Plenary Retail Consumption License, a Plenary Retail Distribution License, a Seasonal Retail Plenary Consumption License or a Club License, shall register with the Police Department; provided, however, that this subsection shall not apply to:
- (1) Bus boys or bus girls.
 - (2) Entertainers
 - (3) Cooks.
 - (4) Kitchen help.
 - (5) Other persons performing strictly restaurant-related functions.
 - (6) Any person who individually or as a partnership or as an officer, director or holder of more than 10% of the stock of a corporation holding a Plenary Retail Consumption License, Seasonal Plenary Retail Consumption License or any Plenary Retail Distribution License is required to execute a questionnaire in a form provided by the Director of the Division of Alcoholic Beverage Control and maintain such form upon the licensed premises.
 - (7) All persons who shall sell, solicit the sale of, process or prepare any alcoholic beverage at or from the original package or container under a club license unless such person's employment exceeds 10 days in any one calendar year, and/or said person receives regular recurring monetary remuneration in connection with said employment, who then shall register with the Police Department. For purposes of this section, Club licenses shall maintain a log indicating the days of work for each employee.
- C. Application for identification card; fingerprints and photographs. Said registration with the Police Department shall be accomplished by completing or furnishing the following:
- (1) An application for an identification card, which application shall contain such information as the usual specifics of personal identification, date and place of birth, address and other employment, and such other information as deemed necessary and proper by the Chief of Police, or designee, to aid and assist in proper enforcement of the law.

- (2) A photograph and a set of fingerprints are to be taken under the direction of the Borough of Sea Girt Police Department. The fingerprint records shall be submitted to the State of New Jersey Division of State Police Bureau of Identification for a thorough and complete criminal history check. An applicant shall pay a fee in accordance with a fee schedule set by the New Jersey State Police. Upon receipt of a report from the State, the local ABC Enforcement Officer, or designee, shall prepare a report to the Chief of Police or other designee of the Borough Council, outlining any arrests or convictions recorded pertaining to any crimes. The Chief of Police, or other designee of the Borough of Sea Girt Council shall then prepare a report to the Borough Council outlining any arrests or convictions recorded pertaining to any crime. A "crime" for purposes of this section shall be a criminal offense defined as a first degree crime, second degree crime, third degree crime and fourth degree crime as defined by N.J.S.A 2C:1-4a.
- (3) No identification card will be issued to any person convicted of a crime of moral turpitude. Such a crime is defined as an act of baseness, vileness or depravity in the private and social duties which a person owes to a fellow person, to society in general, contrary to accepted and customary rule of right and duty. Black's Law Dictionary.
- (4) No licensee shall employ a person convicted of a crime of moral turpitude.
- (5) If at any time within the licensed year a holder of an alcoholic beverage control identification card is found guilty of a crime of moral turpitude, the Borough Council shall immediately suspend the alcoholic beverage control license.
- (6) No person shall be issued a renewal to his/her alcoholic beverage card if he/she has been convicted of a crime of moral turpitude.

D. Possession of identification card; temporary receipt.

- (1) Possession of identification card. All persons required to register under Subsection B of this section shall be required to have in their possession, at all times, when in or about the licensed premises, an identification card on a form furnished by the Police Department, which shall contain such information as deemed necessary and proper by the Chief of Police to aid and assist in proper enforcement of the law. An owner or licensee shall be required to register and obtain an identification card, although such person may not be personally engaged in the sale, mixing, processing or preparation of alcoholic beverages.
- (2) Temporary receipt. Upon registering with the Borough of Sea Girt as required by Subsection B, a temporary receipt will be issued which may be used as a temporary identification card for the purpose of satisfying this section only. This temporary receipt shall contain the applicant's name and expire 60 days upon application.

E. Term of identification card.

- (1) An original identification card shall be valid until December 31st of the calendar in which it was obtained. All identification cards shall be renewed each year by December 31st and will be valid through December 31st of the subsequent year.
- (2) The following fees shall be imposed for the issuance of each identification card:

- (a) For each original card, the sum of that amount charged by any state agency for a fingerprint inquiry, which such an inquiry is permitted by law, which shall be paid by certified check or money order payable to the agency and a \$25.00 processing fee.
- (b) For each renewal of an original card, the sum of \$10.00.
- (c) For any owner or licensee, the original fee and renewal fee for the identification card is waived.

F. Age limits.

- (1) Bartender, waiter or sales clerk; 18 years.
- (2) Entertainer; 18 years.
- (3) Restaurant/hotel worker (must qualify as a restaurant as defined); 16 years.
- (4) Stock clerk in distribution license (permits for the employment of minors under 18 years must first be obtained); 15 years.
- (5) Pinsetter (permits for the employment of minors under 18 years of age must first be obtained); 15 years.
- (6) Worker (not selling alcohol) for consumption license, not a restaurant or hotel (permits for the employment of minors under 18 years of age must first be obtained); 16 years.

G. Violations and Penalties

Violation of any provision of this chapter by any owner and/or employee shall, upon conviction thereof, be punished by a fine not in excess of the limitations of *N.J.S.A. 40:49-5* or by a term of imprisonment or a period of community service not exceeding 90 days on both the owner and employee in violation. Each and every violation shall be considered a separate violation. Any person who is found guilty of violating the provisions of this chapter within one year of the date of a previous violation and who was fined for the previous violation may be sentenced by the court to an additional fine as a repeat offender and, in addition, will be subject to a hearing before the Borough of Sea Girt Council where additional penalties may be imposed in accordance with New Jersey State Alcoholic Beverage Control regulations.

Section 2. BE IT FURTHER ORDAINED that all ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

Section 3. BE IT FURTHER ORDAINED that the amended ordinance shall become effective twenty days after its passage and publication as required by law.

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

An unknown person asked for confirmation that background checks will be required for bartenders and waiters/waitresses. **UPON MOTION** of Councilwoman Morris, seconded by Councilman Meixsell, carried, the public hearing was closed.

Councilwoman Anthony noted these are standard ABC regulations. **UPON MOTION** of Councilwoman Anthony, seconded by Councilwoman Morris, carried, that the said Ordinance No. 12-2019 be adopted on final reading, directing the Clerk to post and publish as required by law.

Recorded Vote:

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

6. NEW BUSINESS

A. ORDINANCES – introduction

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

Mayor Farrell explained that the purpose of the Ordinance is to create a support structure for excavations so as to minimize possible effects on neighboring properties. Councilman Mulroy confirmed the Ordinance was changed from having a bond to not having a bond; he also asked what the penalty is for an Ordinance violation; Mrs. Carafa responded the fee is set by the court and could be up to \$2,250.00 per occurrence.

Councilman Meixsell commented the purpose of this ordinance is to prevent damage to neighboring properties and noted that he would like to see the size of the excavation that would trigger the provisions of the Ordinance changed to 5' deep and 5' wide. **UPON MOTION** of Councilman Meixsell, seconded by Councilman Foley, carried, and by consensus, the Ordinance was amended and introduced as amended:

ORDINANCE NO. 05-2019

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

**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:

Shoring, form of prop or support that is typically used at construction sites in order to provide temporary support of soil and existing structures. A variety of materials and methods are available depending upon the space available, magnitude of forces, and the criticality of the area being shored.

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

(a) **Subsection o.** All excavations equal to or greater than five (5) feet deep and five (5) wide must include the installation of shoring to provide temporary support of soil and existing structures.

1. The side and rear of the excavation 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.

(b) **Subsection p.** The requirement of Subsection o shoring 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 Foley seconded by Councilman Meixsell, carried, that the said Ordinance be and the same is hereby adopted as amended on first reading, directing the Clerk to post and publish as required by law and setting the date of the public hearing as March 27, 2019.

Recorded Vote:

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

2. Ordinance No. 07-2019: The Mayor read the said Ordinance by Title:

ORDINANCE NO. 07-2019

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VII, TRAFFIC, ARTICLE 7-37, LOADING ZONES, ARTICLE 7-38, TAXI STAND AND ARTICLE 7-39.1, HANDICAPPED PARKING, OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT

Councilman Mulroy noted he is opposed to the expansion of the loading zone on Ocean Avenue and the loss of parking spaces. He also opposes the expansion of the taxi stand; he understands the intent is to get the most people away from the Parker House as quickly as possible; expanding the taxi zone next to The Parker House hurts the quality of life.

Councilwoman Anthony stated that she shares Councilman Mulroy's position and is also concerned with idling vehicles; she noted that she supports moving the handicapped space on Ocean Avenue.

Councilman Meixsell noted the reason for this parking issue is because of The Parker House; last year, loading zone and taxi stand worked and without this pattern people will be walking down to Ocean Avenue.

Councilwoman Morris commented that public safety is a function of the Police Department and the Borough to help manage the quality of life for residents; we engaged in the services of a traffic expert and changes were made based on his recommendations. In order to maintain good order, we should rely on our Police Department and traffic safety experts. The Borough also needs acknowledge the need for a designated area for ride-share and taxi drivers to pick-up their passengers and to transport the patrons away from this area to their next location quickly. She further noted that the Council meets throughout the year discussing and strategizing the best way to handle this seasonal operation with the least impact on our taxpayers and noted that if something doesn't work, we try something new; this is not intended to be a hardship on our residents; our attempt to mitigate effect of all the people on the residents.

Mayor Farrell stated again that our town doesn't have the physical infrastructure to handle the number of patrons at The Parker House. Councilman Foley is not in favor of expanding taxi stand; changes are only marginally effective. Councilman Mulroy noted again that he is not in favor of expanding the taxi stand or loading zone.

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.

After discussion and **UPON MOTION** of Councilwoman Morris, seconded by Councilman Meixsell, carried, that the following Ordinance be introduced as amended on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as March 27, 2019:

ORDINANCE NO. 07-2019

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VII, TRAFFIC, ARTICLE 7-37, LOADING ZONES, ARTICLE 7-38 AND ARTICLE 7-39.1, HANDICAPPED PARKING, OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT, AS AMENDED

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:

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

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
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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.

Recorded Vote:

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

B. Resolution No. 50-2019: Emergency (Water) Interconnection Operating Agreement between the Borough of Manasquan and the Borough of Sea Girt

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

WHEREAS, Manasquan and Sea Girt have an Interconnection between their mutually independent water systems; and

WHEREAS, the “Water Supply Management Act Rules”, N.J.A.C. 7:19-6 et seq. and the New Jersey Division of Water Resources requires written agreements be entered into establishing procedures for the maintenance and use of interconnections;

THEREFORE, it is hereby agreed to by and between Manasquan and Sea Girt as follows:

1. An interconnection with a metering chamber and all required piping are installed at the following location:

Sea Girt Avenue, 150 feet east of Highway 71

2. This connection shall be available for emergency use by both parties. An emergency shall be defined as an abnormal condition due to equipment failures, water main breaks, power outages, loss of storage facility, exceptional fire water flows or other unforeseen circumstances which prevent one party’s water system from meeting demands through its normal supply sources and creates the temporary need for transfer of water from the other party’s system.
3. Upon the occurrence of an emergency, the water superintendent or other authorized representative of the party requiring water shall contact the water superintendent or other authorized representative of the other party. The authorized representatives of both parties shall meet and activate the interconnection by opening the appropriate valves and shall record the meter readings. The metered interconnection shall only be activated in the process of both water superintendents or other authorized representatives of the parties.
4. The emergency transfer of water from either party shall be subject to the availability of water in the system supplying the water. Neither party guarantees the amount of water to be available nor the pressure of the available water.
5. When the interconnection is not in use for actual emergency, valves on both sides of the interconnection meter pit shall remain closed. The meter pit shall also be locked and key for same shall be supplied to both parties.

6. Each interconnection shall be metered in both directions. Water transferred from the Sea Girt system to the Manasquan system shall be billed at a rate equal to 75% of the prevailing rate for industrial users. Water supplied by the Manasquan system to the Sea Girt system shall be billed at a rate equal to 75% of the prevailing rate for industrial users. All billings rendered shall be subject to delinquent interest payments with interest calculated at the stated Prime Rate as reported in THE WALL STREET JOURNAL, plus 1%. All bills become delinquent after 60 days from date of bill.
7. The meter pit bypass and meter shall be owned and maintained by both Sea Girt and Manasquan. Both parties shall have access to the meter pit for testing and inspection. Water main valves and hydrants within Sea Girt shall be owned and maintained by Sea Girt. Water mains, valves, and hydrants within Manasquan shall be owned and maintained by Manasquan. Once each year, the water superintendent or authorized representatives of both parties shall conduct an inspection and test of the interconnection. This test and inspection shall be conducted in the presence of the water superintendent or authorized representatives of both parties. Costs of maintenance and repairs of the interconnection shall be shared equally by both parties. A report discussing the results of the test and condition of the interconnection shall be prepared by both water superintendents and filed with both parties and the New Jersey Department of Environmental Protection in accordance with applicable regulations.
8. If a term, covenant, condition, or provision of this agreement, or the application thereof to any person or circumstance, shall, at any time or to any extent, be invalid or unenforceable, the remainder of this agreement, or the application of such terms or provisions to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term, covenant, condition, and provision of this agreement shall be valid and be enforced to the fullest extent permitted by law.
9. This Agreement supersedes any and all prior agreements for emergency water service.
IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

Recorded Vote:

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

C. Resolution No. 51-2019: Introduction of the Borough's 2019 Budget:

- 8th consecutive year that the Council has reduced the municipal tax levy (2019: \$4,999,893.80; 2018: \$5,015,751.78)
- 8th consecutive year that the Council has reduced or maintained the municipal rate (2019 preliminary rate: \$0.204; 2018 actual rate: \$0.204);
- Maintains all services at current levels;
- Public hearing is scheduled for April 10, 2019.

BE IT RESOLVED that the following statements (summary attached) of revenues and appropriations shall constitute the Municipal Budget for the year 2019.

BE IT FURTHER RESOLVED that said Budget will be published in *The Coast Star* on March 28, 2019.

BE IT FURTHER RESOLVED that the hearing on said Budget will be held at the Sea Girt Elementary School on April 10, 2019 at 7:00PM, at which time and place objections to said Budget and Tax Resolution may be presented by taxpayers or other interested persons.

Recorded Vote:

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

D. Resolution No. 52-2019: Authorize corrected refund of Planning Board escrow to Peter and Susan Ragan, Block 41, Lot 8 also known as 221 Chicago Boulevard, \$1,744.00

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

WHEREAS, the Borough Council authorized a refund of escrow fund balance in the amount of \$1,869.00 to Peter and Susan Ragan, Block 41, Lot 8, also known as 221 Chicago Boulevard in the Borough of Sea Girt; and,

WHEREAS, the Borough has received a bill from the Engineer in the amount of \$125.00 for services rendered to the above-named individuals that reduces the amount of refund to \$1,744.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Sea Girt that the originally authorized refund to Peter and Susan Ragan be rescinded and the new amount of \$1,744.00 be and the same is hereby authorized.

BE IT FURTHER RESOLVED that the Chief Financial Officer be and he is hereby authorized to issue the refund specified to the individuals named above.

Recorded Vote:

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

E. Resolution No. 53-2019: Appoint part-time Fire Inspector, Michael Hines, \$20 per hour for hours worked only, effective March 16, 2019 through December 31, 2019.

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

WHEREAS, the Borough of Sea Girt is in need of a part-time inspector to supplement the operations of the Sea Girt Fire Bureau in conjunction with the Shared Services Agreement between the Borough of Sea Girt and the Borough of Brielle; and,

WHEREAS, Michael Hines has the required certifications and experience to fill this position.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Sea Girt that the appointment of Michael Hines as a part-time Fire Inspector for the Borough of Sea Girt in conjunction with the Shared Services Agreement with the Borough of Brielle commencing March 16, 2019 through December 31, 2019 at the rate of \$20.00 per hour for hours worked (not to exceed 20 hours per week) be and the same is hereby memorialized.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to the Michael Hines, Christopher Willms and the Chief Financial Officer for their information and further action.

Recorded Vote:

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

7. ADMINISTRATOR REPORTS/DISCUSSION

- **Annual Easter Egg Hunt**, Saturday, April 13, 11:00 AM; rain date, Sunday, April 14 at 1:00 PM
- **2019 Season Beach Badges** are now available through Community Pass; check the Borough's website for the link under Beach (top right of the home page);
- **Coffee with the Mayor**, Saturday, March 23, 9:00 AM in the Fire Hall
- **Volunteers** are needed for invasive species and shrub removal in Crescent Park (date to be announced) and at Edgemere Park – next scheduled date is March 16 from 10 AM to 3 PM; please wear hats, hard-soled shoes and don't forget the sunscreen and gloves.

8. QPA REPORTS: None at this time.

9. COUNCIL REPORTS: Councilmembers Foley, Meixsell, Morris, Mulroy and Mayor Farrell had no reports.

10. Resolution No. 54-2019: 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 March 8, 2019 in the totals as follows:

CURRENT FUND	\$ 94,268.00
WATER/SEWER OPERATING FUND	\$ 10,573.79
BEACH OPERATING FUND	\$ 2,243.07
TRUST FUND	\$ 4,720.90
RECREATION TRUST FUND	\$ 15.19
CAPITAL FUND	\$ 76,828.15
WATER CAPITAL	\$ 5,439.12

Recorded Vote:

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

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

Mr. Lauzon, Beacon Blvd, stated that he is opposed to expanding either the taxi stand or loading zone as proposed; The Parker House has expanded beyond what is reasonable; Police are doing what they can to help situation; ridiculous amount of money spent on services to The Parker House.

Catherine Metcalf, Ocean Avenue, stated that she is opposed to extend loading zones, citing noise and too many people in the area; addressed Parker House issues including concerns about the toilet trailer and in the parking lot; in her opinion they have expanded drastically without approvals; disappointed in lack of resident participation in the 2018 traffic study process and response to the traffic study from Council. Mayor Farrell noted that the Council has and is continuing to take steps to address these concerns.

Sharon Kregg, Brooklyn Blvd., stated that she is opposed to the loading zone; supports Councilman Meixsell's comments regarding the recent letter to the editor that appeared in The Coast Star referencing Carriage Way; supports the Edgemere Park improvements and also asked Council to support the residents' concerns about construction on 50' lots; she urged the Borough to get the State involved in The Parker House occupancy issue.

Greg Garber, Beacon Blvd., stated that The Parker House has existed for years and the management has been fairly cooperative and in his opinion, the growth is due to lack of enforcement; he also recommended that the Police conduct "walking tests" (sic, sobriety tests) for patrons leaving Sea Girt. He also stated that he is opposed to the extension of the taxi stand.

Mark Schwarz, Beacon Blvd., stated the he is opposed to the extension of the taxi zone and loading zone; in his opinion, the cars and people should be told to "keep moving"; noted that the Police are responsive but overwhelmed with number of patrons; wants to be proactive as opposed to accommodating patrons.

Greg Garber, Beacon Blvd., stated that he would like to be notified on happenings in town; Mrs. Carafa advised him that meeting information is always posted on the Borough's website by Monday evening prior to a meeting and provided the site's URL; she also noted that she will add his name to the Administrator Newsletter.

Unnamed resident asked if we could get rid of The Parker House to solve the problems.

There being no further business, and **UPON MOTION** of Councilwoman Morris, seconded by Councilman Meixsell, carried, that the meeting be finally adjourned at 9:30 PM.

Lorraine P. Carafa

LORRAINE P. CARAFA, RMC
Municipal Clerk

March 8, 2019
01:44 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
18-00043	01/12/18	00233	Copy Center Inc.	2018 Maintenance	Open	26.84	0.00 B
18-00064	01/12/18	00016	JERSEY CENTRAL POWER & LIGHT	2018 Services	Open	296.73	0.00 B
18-00067	01/12/18	H2M	H2M Associates, Inc.	2018 Services	Open	1,137.50	0.00 B
18-00967	11/02/18	AAM	Atlantic Aerials Manalapan	TM34TE Nifty Lift	Open	23,238.95	0.00
18-01017	11/29/18	SHI	SHI International Corp.	PD Computer	Open	1,387.15	0.00
18-01022	11/29/18	FF001	Firefighter One	Nozzel	Open	350.20	0.00
18-01040	12/05/18	SHI	SHI International Corp.	PD Computer, Records	Open	1,623.86	0.00
18-01052	11/14/18	SHORETOP	Shore Top Construction Corp.	Carriage Way Improvements	Open	51,979.20	0.00 B
18-01060	12/19/18	FIS01	FIS On Site Service LLC	Annual Vehicle Maintenance	Open	3,780.00	0.00
19-00020	01/09/19	00964	A'S GARDEN & HOME CENTER	Misc Supplies	Open	896.42	0.00 B
19-00023	01/09/19	00295	ASBURY PARK PRESS	2019 Legal Ads 2	Open	878.12	0.00 B
19-00025	01/09/19	00008	AT&T	Library, Fire Phone Service	Open	59.27	0.00 B
19-00026	01/09/19	00046	AQUATIC SERVICES - E. Runyon	2019 Lab Tests	Open	538.00	0.00 B
19-00028	01/09/19	CLF01	Carton Law Firm	Prosecutor	Open	953.75	0.00 B
19-00031	01/09/19	00136	THE COAST STAR	2019 Legal Ads	Open	38.85	0.00 B
19-00034	01/09/19	FARMINGD	Farmingdale Recycling	Recycling	Open	1,065.90	0.00 B
19-00035	01/09/19	00643	FEDERAL EXPRESS CORP.	Shipping	Open	52.42	0.00 B
19-00037	01/09/19	GREER	Greer Law Firm	2019 Public Defender	Open	500.00	0.00 B
19-00039	01/09/19	00016	JERSEY CENTRAL POWER & LIGHT	Water, JCP&L	Open	3,401.02	0.00 B
19-00041	01/09/19	01230	KEPWEL SPRING WATER CO., INC.	Bottled Water Deposit	Open	85.60	0.00 B
19-00043	01/09/19	LEVEL3	Level 3	2019 Service	Open	955.75	0.00 B
19-00046	01/09/19	MAZZA	Mazza Mulch, Inc.	Brush Recycling	Open	500.00	0.00 B
19-00047	01/09/19	00040	MONMOUTH COUNTY TREASURER	Tipping Fees	Open	3,574.64	0.00 B
19-00052	01/09/19	01258	NJ American Water	2019 Public Fire Service	Open	92.00	0.00 B
19-00054	01/09/19	01942	ONE CALL CONCEPTS	Markout Service	Open	44.88	0.00 B
19-00055	01/09/19	00068	OLD TOWNE CAR WASH INC.	Car Washing	Open	60.00	0.00 B
19-00056	01/09/19	00614	Optimum	Beach, DPW, Police	Open	345.53	0.00 B
19-00057	01/09/19	00321	SEABOARD WELDING SUPPLY, INC.	Gas Delivery	Open	27.00	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	1,007.04	0.00 B
19-00079	01/10/19	00007	VERIZON	Verizon Service	Open	438.19	0.00 B
19-00080	01/10/19	00349	VERIZON WIRELESS	Verizon Wireless	Open	253.34	0.00 B
19-00114	01/15/19	01245	Genuine Parts Co.	Blanket	Open	573.08	0.00 B
19-00142	01/24/19	00198	POLAR AIR OF NJ, INC.	HVAC maintenance & repairs	Open	715.70	0.00 B
19-00167	01/30/19	00150	M.O.C.I.B.	2019 Membership Dues	Open	50.00	0.00
19-00168	01/30/19	01583	EAGLE POINT GUN/TJ Morris & Son	ammo	Open	2,963.81	0.00
19-00174	01/31/19	JCD01	Jersey Cape Diagnostics	2019 Beach Badges	Open	1,429.72	0.00
19-00181	02/04/19	00774	BOROUGH OF BRIELLE	Salt/Brine Interlocal	Open	325.00	0.00 B
19-00199	02/07/19	01579	OSWALD ENTERPRISES, INC.	Clean & televise sewer lines	Open	5,439.12	0.00 B
19-00202	02/08/19	RRD01	R.R. Donnelly & Sons Co.	Reg-42A Vital Records Cert.	Open	33.09	0.00
19-00203	02/08/19	COREMAIN	Core & Main LP	waterplant valves	Open	2,619.00	0.00
19-00218	02/15/19	KLEINPE	Allan Klein, PA	Structural engineering inspect	Open	1,610.00	0.00 B
19-00223	02/19/19	01396	TRIUS INC.	Bearing	Open	50.40	0.00
19-00224	02/19/19	00078	NJ STATE LEAGUE OF MUN.	webinar registration	Open	35.00	0.00
19-00228	02/20/19	01686	W.B. MASON COMPANY, INC.	supplies	Open	38.95	0.00
19-00229	02/20/19	01912	STAPLES ADVANTAGE	Shredder	Open	799.99	0.00
19-00232	02/22/19	00016	JERSEY CENTRAL POWER & LIGHT	DPW JCP&L	Open	1,776.17	0.00 B
19-00239	02/25/19	00053	VAN WICKLE AUTO SUPPLY	Requisition Request 19-044	Open	320.18	0.00
19-00240	02/25/19	00053	VAN WICKLE AUTO SUPPLY	snow prep	Open	202.92	0.00
19-00252	02/26/19	01741	PATRICIA PETERSON	Reimbursement	Open	82.15	0.00

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PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
19-00253	02/26/19	00016	JERSEY CENTRAL POWER & LIGHT Paddle Tennis JCP&L	Open	15.19	0.00	B
19-00254	02/26/19	00016	JERSEY CENTRAL POWER & LIGHT Library JCP&L	Open	234.10	0.00	B
19-00255	02/26/19	00016	JERSEY CENTRAL POWER & LIGHT Beach JCP&L	Open	272.52	0.00	B
19-00256	02/27/19	00169	GOODYEAR TIRE CRAFT Requisition Request 19-047	Open	302.80	0.00	
19-00257	02/27/19	00334	HOME DEPOT CREDIT SERVICES Requisition Request 19-052	Open	1,562.52	0.00	
19-00259	02/27/19	01912	STAPLES ADVANTAGE supplies	Open	109.82	0.00	
19-00260	02/27/19	00774	BOROUGH OF BRIELLE Fuel/pump maintenance agreement	Open	183.33	0.00	
19-00261	02/27/19	01786	TOWNSHIP OF WALL Reimbursement for 2019 dues	Open	160.00	0.00	
19-00264	02/28/19	01761	ARBOR DAY FOUNDATION 2019 Dues	Open	15.00	0.00	
19-00269	03/01/19	00392	LEON S. AVAKIAN INC. zoning	Open	1,012.50	0.00	
19-00270	03/01/19	00392	LEON S. AVAKIAN INC. Planning Brd.	Open	1,282.50	0.00	
19-00271	03/01/19	00392	LEON S. AVAKIAN INC. General	Open	607.50	0.00	
19-00272	03/05/19	00383	ALLISON PEST CONTROL Termite renewal PW	Open	185.00	0.00	
19-00273	03/05/19	NJAPZA	NJ Assoc. of Planning & Zoning	Open	45.00	0.00	
19-00274	03/05/19	HARRIMAN	Dawn Harriman Reimbursement	Open	79.97	0.00	
19-00279	03/05/19	00156	JOHN DE MILLIO Reimbursement	Open	126.28	0.00	
19-00280	03/06/19	SLATTERY	Joe Slattery Reimbursement	Open	145.00	0.00	
19-00281	03/06/19	01232	FALKINBURG'S TREE EXPERT CO. Removal of 2 tree @ Baltimore	Open	2,100.00	0.00	
19-00282	03/06/19	00241	POSTMASTER Renewal Po Box 414	Open	168.00	0.00	
19-00283	03/06/19	00136	THE COAST STAR Subscription renewal	Open	30.00	0.00	
19-00286	03/07/19	H2M	H2M Associates, Inc. Water/Waste water engineering	Open	1,250.00	0.00	B
19-00287	03/07/19	VALENTIN	Stephen & Patricia Valentino Refund, Planning Brd. Escrow	Open	681.90	0.00	
19-00288	03/07/19	RAGAN	Peter & Susan Ragan Refund Planning Brd, Escrow	Open	1,744.00	0.00	
19-00290	03/08/19	01767	JANE HUNNEWELL Reimbursement	Open	49.31	0.00	
19-00292	03/08/19	00016	JERSEY CENTRAL POWER & LIGHT Street Lighting, JCP&L	Open	2,479.66	0.00	B

Total Purchase Orders: 75 Total P.O. Line Items: 0 Total List Amount: 133,544.33 Total Void Amount: 0.00

19-00237	L Carafa	Reimbursement	815.39
19-00251	P Peterson	Advance for Easter supplies	200.00
19-00262	NJ Dept, Of Transportation	Application fee road opening	790.00
19-00263	Nj Dept. of Transportation	Permit fee, road opening	265.00
19-00268	Lidia Butera	Refund R-37-2019	100.00
	State of NJ	Health Benefits	58,373.50
		Total	194,088.22

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Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	8-01	7,168.05	0.00	7,168.05	0.00	0.00	7,168.05
WATER OPERATING	8-05	1,137.50	0.00	1,137.50	0.00	0.00	1,137.50
BEACH OPERATING	8-09	296.73	0.00	296.73	0.00	0.00	296.73
Year Total:		8,602.28	0.00	8,602.28	0.00	0.00	8,602.28
CURRENT FUND	9-01	87,099.95 27,611.06	0.00	27,611.06	0.00	0.00	27,611.06
WATER OPERATING	9-05	9,436.29 8,381.29	0.00	8,381.29	0.00	0.00	8,381.29
BEACH OPERATING	9-09	1,946.34	0.00	1,946.34	0.00	0.00	1,946.34
TRUST OTHER	9-25	4,720.90	0.00	4,720.90	0.00	0.00	4,720.90
BOARD OF RECREATI	9-26	15.19	0.00	15.19	0.00	0.00	15.19
Year Total:		42,674.78	0.00	42,674.78	0.00	0.00	42,674.78
GENERAL CAPITAL	C-04	76,828.15	0.00	76,828.15	0.00	0.00	76,828.15
WATER CAPITAL	W-06	5,439.12	0.00	5,439.12	0.00	0.00	5,439.12
Total of All Funds:		133,544.33	0.00	133,544.33	0.00	0.00	133,544.33
		194,088.22					