AGENDA - REGULAR MEETING May 9, 2018

The Regular Meeting of the Borough of Sea Girt Council was called to order by Mayor F. Ken Farrell at 7:00 PM on Wednesday, May 9, 2018 at the Sea Girt Elementary School, Bell Place, Sea Girt. Mayor Farrell asked for a moment of silence; he then led those in attendance in the Pledge of Allegiance.

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

- 2. PUBLIC PARTICIPATION ON ANY CONSENT AGENDA ITEM: Mary Lyons, Crescent Parkway, stated that she is in favor of adopting the Proclamation.
- 3. CONSENT AGENDA Resolution No. 74-2018: UPON MOTION of Councilman Foley, seconded by Councilwoman Morris, carried, that the following Resolution be and the same is hereby adopted:
 - 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 be 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 1, 2018, the first Friday in June, as the 4th 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 1 the first Friday in June in 2018, to help raise awareness about gun violence; and

WHEREAS, by wearing orange on June 1, 2018 Americans will raise awareness about gun violence and honor the lives of gun violence victims and survivors; 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.

 Special Event Application, Wall Twp. HS Swim Club, Mile Ocean Swim, August 18, 2018, 6:00 AM

WHEREAS, the Wall Township High School Swim Team Parent Association has requested permission to hold their annual Ocean Mile Swim event on the Sea Girt Beach on August 18, 2018, beginning at 6:00 AM to approximately 10:00 AM, and the Association has submitted the required Special Event application and fee of \$40.00.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that the request of the Wall Township High School Swim Team Parent Association for permission to hold their annual Ocean Mile Swim event on the Sea Girt Beach on August 18, 2018 from 6:00 AM to approximately 10:00 AM be and the same is hereby approved, subject to any restrictions that may be imposed on the location in the event any endangered or threatened species are present and the submission of a Certificate of Insurance with the required limits and naming the Borough of Sea Girt as an additional insured not later than August 1, 2018.

BE IT FURTHER RESOLVED that set-up and clean-up of the area is the responsibility of the event sponsors.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to Barbara Bartolatus of the Wall Township High School Swim Team Parent Association and Jim Freda, Beach Manager, for their information.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Foley	Х			
Councilman Meixsell	Х			
Councilwoman Morris	Х			
Council President Fetzer	Х			
Councilman Mulroy	Х			****
Councilwoman Anthony	Х			

4. APPROVE MINUTES

A. Resolution No. 75-2018: Approve Minutes, Regular Meeting held April 25, 2018

UPON MOTION of Council President Fetzer, seconded by Councilwoman Morris, carried, that the Minutes of the Regular Meeting April 25, 2018 be and the same are hereby approved as presented.

Recorded Vote:

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

5. OPEN DISCUSSION: There were no comments from Council members present.

6. OLD BUSINESS

A. Ordinance No. 10-2018 – Possible Adoption:

1. The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in the Asbury Park Press on April 29, 2018:

ORDINANCE NO. 10-2018

AN ORDINANCE AMENDING CHAPTER IX, BEACHES, BOARDWALK AND DUNES, SECTION 9-1.2, RULES AND REGULATIONS OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT, MONMOUTH COUNTY, NEW JERSEY

WHEREAS, Chapter IX, Beaches, Boardwalk and Dunes of the Borough Code governs beach regulations in the Borough of Sea Girt; and,

WHEREAS, the following sections of Chapter IX are amended with additions reflected in **bold** underline;

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

Section 1. Section 9-1.2 is hereby supplemented as follows:

bb. No tents or canopies are permitted, only umbrellas with one central stanchion and a top no larger than six (6 feet) across to provide shade whether upright or at a ninety degree position. Devices designed or used to shade infants, no larger than forty (40") inches high by forty (40") inches wide by forty (40") deep are permitted for infant use only.

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 present, and **UPON MOTION** of Councilwoman Morris, seconded by Councilman Mulroy, carried, the public hearing was closed.

UPON MOTION of Councilman Mulroy, seconded by Councilwoman Morris, carried, that the said Ordinance No. 10-2018 be adopted on final reading, directing the Clerk to post and publish as required by law.

Recorded Vote:

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

7. NEW BUSINESS

A. Ordinances - Introduction

1. Ordinance No. 11-2018: The Mayor read the said Ordinance by Title:

ORDINANCE NO. 11-2018

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XXI, STREETS AND SIDEWALKS, ARTICLE 21-4.5, CONSTRUCTION OF DRIVEWAYS IN CRESCENT PARK, DESIGN STANDARDS, OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT

Council President Fetzer objected to the proposed apron width of 25 feet; he suggested that the Borough obtain additional information and have the Borough Engineer, Zoning and the Fire Department comment on the proposed Ordinance. Councilwoman Anthony questioned the definition of a road and whether easements exist allowing connection to the road. Councilman Meixsell noted that Zoning and the Fire Department had already supplied comments on this matter.

UPON MOTION of Council President Fetzer, seconded by Councilman Foley, carried, that this matter be tabled until further review/recommendation from Borough Engineer, Mr. Willms and Chief Scipione.

Recorded Vote:

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

2. Ordinance No. 12-2018: The Mayor read the said Ordinance by Title:

ORDINANCE NO. 12-2018

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VII, TRAFFIC, ARTICLE 7-37 LOADING ZONES AND ARTICLE 7-39, HANDICAPPED PARKING ON STREETS, OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT

There were various comments from members of Council regarding components of the proposed Ordinance; after discussion, it was the consensus of Council to introduce the Ordinance at this time. Councilwoman Morris noted that Mrs. Carafa, Chief Davenport and Captain Macko have thought long and hard on the provisions included in this Ordinance; she also stated that if it determined after this summer that this is not an effective solution to the problem, the Ordinance can be amended or revoked.

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

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

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

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.

Name of Street

Time

Side

Location

Ocean Avenue

24 hours

East side

Beginning at a point 36 feet south of the southern crosswalk marking of Beacon Blvd. south

for a distance of 109 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

Beginning at a point 25 feet south of the southern crosswalk marking of Beacon

Boulevard and extending to a point 11 feet

south thereof, angle parking

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.

UPON MOTION of Councilwoman Morris, seconded by Councilwoman Anthony, carried, that the preceding Ordinance be and the same is hereby adopted on the first reading, directing the Clerk to post and publish as required by law and setting the date of the public hearing as May 23, 2018.

Recorded Vote:

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

3. Ordinance No. 13-2018: The Mayor read the said Ordinance by Title:

ORDINANCE NO. 13-2018

BOND ORDINANCE PROVIDING FOR VARIOUS 2018 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$690,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$683,000 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 \$690,000, said sum being inclusive of a down payment in the aggregate amount of \$7,000 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. Pursuant to the provisions of N.J.S.A. 40A:2-7 and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), no down payment is required for the Water Utility Improvements set forth in Section 3(a)(v) as the Water Utility of the Borough is self-liquidating.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$690,000 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 \$683,000 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 \$683,000 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:

Description	Appropriation	Authorization	Down Payment	Useful <u>Life</u>
(i) <u>Police</u> – Acquisition And Installation, As Applicable, Of Various Equipment Including, But Not Limited To, Cameras And Improvements To Police Department Building;	\$15,000	\$14,250	\$750	5 years

Description	Appropriation	Authorization	Down Payment	Useful <u>Life</u>
(ii) <u>Public Works</u> – Acquisition And Installation, As Applicable, Of Various Equipment Including, A Lift (Appropriation Is The Borough's Share with Brielle and Spring Lake Heights);	\$30,000	\$28,500	\$1,500	5 years
(iii) <u>Fire</u> — Acquisition And Installation, As Applicable, Of Various Equipment for the Fire Department Pursuant To A List On File In The Office Of The Borough Clerk;	\$45,000	\$42,750	\$2,250	5 years
(iv) <u>Parks</u> – Improvements To Crescent Park (Phase II) Including, But Not Limited To, Landscaping And Aesthetic Improvements; And	\$50,000	\$47,500	\$2,500	15 years
(v) <u>Water Utility</u> – 8 th Avenue Water Utility Improvements.	\$550,000	\$550,000	\$0	20 years
TOTALS	<u>\$690,000</u>	<u>\$683,000</u>	<u>\$7,000</u>	

- (b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$683,000.
- (c) The aggregate estimated cost of said improvements or purposes is \$690,000, 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 17.77 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 \$683,000 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 \$138,000 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.

UPON MOTION of Councilman Foley, seconded by Council President Fetzer, carried, that the preceding Ordinance be and the same is hereby adopted on the first reading, directing the Clerk to post and publish as required by law and setting the date of the public hearing as May 23, 2018.

Recorded Vote:

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

A. Resolution No. 76-2018: Authorizing Driveway Reconfiguration/Reconstruction, Block 9, Lot 3 Also Known as 653 Ocean Avenue in the Borough of Sea Girt, Monmouth County

Council President Fetzer strongly recommended that all future driveways and aprons along Carriage Way be constructed in conformance with the provisions of the proposed Ordinance No. 11-2018 if it is eventually adopted.

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

WHEREAS, pursuant to Chapter XXI, Section 21-4, et seq., of the Borough Code, the Eric and Pamela Anderson, owners of record of Block 9, Lot 3, also known as 653 Ocean Avenue in the Borough of Sea Girt, has made application to the Zoning Official for permission to reconfigure and reconstruct a driveway through Crescent Park; and,

WHEREAS, the application that was submitted is complete in all respects; has been reviewed by the Zoning Official, the Borough Engineer and the Shade Tree Commission and approved by all parties.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Sea Girt that the request of the owner of record of Block 9, Lot 3 also known as 653 Ocean Avenue, be and the same is hereby approved.

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

- 1. Eric and Pamela Anderson
- 2. C. Willms, Zoning and Code Enforcement Official

Recorded Vote:

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

B. Resolution No. 77- 2018: Designating a Loading Zone on the East Side of Ocean Avenue South of Beacon Boulevard, as amended

Council President Fetzer noted that there is a discrepancy between the provisions of Ordinance No. 12-2018 and paragraph one of this resolution; therefore, the Resolution is being amended to change the starting point of the loading zone from 35 feet to 36 feet.

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

WHEREAS, the Borough Council has determined that the creation of a loading zone on the east side of Ocean Avenue beginning at a point 36 feet south of the southern crosswalk marking of Beacon Boulevard for a distance of 120 feet is necessary to preserve the health and welfare of the general public; and,

WHEREAS, the designated area will be delineated with signs and street markings clearly identifying the area for members of the public.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Sea Girt that the designation of a loading zone on the east side of Ocean Avenue beginning at a point 36 feet south of the southern crosswalk marking of Beacon Boulevard for a distance of 120 feet is necessary to preserve the health and welfare of the general public.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be supplied to Chief Davenport for distribution to his staff.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Foley	Х			·
Councilman Meixsell	Х			
Councilwoman Morris	X		-	
Council President Fetzer	Х			
Councilman Mulroy	Х			·
Councilwoman Anthony	Х			

C. Resolution No. 78-2018: Authorizing the purchase of two (2) Kubota Utility Vehicles for the Department of Public Works through the Middlesex County Educational Services Commission Cooperative Purchasing Program, #65MCESCCPS

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

WHEREAS, the Borough wishes to purchase two (2) Kubota Utility Vehicles for the Department of Public Works to replace two utility vehicles that have exceeded their useful life; and,

WHEREAS, the Borough is a member of the Middlesex County Educational Services Commission Cooperative Purchasing Program #65MCESCCPS, which has received bids for the said vehicle pursuant to Bid #ESCNJ 15/16-08 with as required by Borough at a 23% discount from list price, or \$18,290.00 each; and,

WHEREAS, additional equipment, specifically 230 CU Hoppers, required by the Borough are not available through the Cooperative Purchasing Program but is available through the vendor from whom the vehicles are to be acquired at the cost of \$8,175.00 each; and,

WHEREAS, the Chief Financial Officer has certified that funds are available for this purchase pursuant to Ordinance No. 09-2017.

NOW, THEREFORE, BE IT RESOLVED that the quote of Cherry Valley Tractor Sales in the amount of \$52,930.00 pursuant to Bid #ESCNJ 15/16-08 through the Borough's participation in the Middlesex County Educational Services Commission Cooperative Purchasing Program #65MCESCCPS, be and the same is hereby accepted.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to the following persons for their information and further action:

- 1. Cherry Valley Tractor Sales
- 2. Manager, Department of Public Works
- 3. Chief Financial Officer, Borough of Sea Girt

Recorded Vote:

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

D. Resolution No. 79-2018: Issuance of 2018 Taxi Licenses

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 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, 2018; and,

NOW, THEREFORE BE IT RESOLVED, by the Council of the Borough of Sea Girt that licenses for 2018 be approved for the taxi/autocab owners listed below:

Wally's Transportation, LLC
Havana Motor Club
Belmar Medical Transportation. LLC
Coast City Taxi, LLC
DM Taxi, LLC
Malik Transportation, LLC.

Royal One Transport, LLC Squan Taxi and Transportation Service Ride Leon's, LLC Junu Generation Taxi, LLC Homestead Transportation, LLC.

Recorded Vote:

\.	AYES	NAYS	ABSENT	ABSTAIN
Councilman Foley	Х			
Councilman Meixsell	Х			
Councilwoman Morris	Х			•
Council President Fetzer	Х			
Councilman Mulroy	X			
Councilwoman Anthony	. X			

E. Resolution No. 80 -2018: Authorize the signing of an Agreement with Sea Girt 5K, Inc. allowing for the conduct of a foot race on August 4, 2018, waiving noise ordinance provisions and imposing parking restrictions in conjunction therewith

UPON MOTION of Councilman Meixsell, seconded by Councilman Foley, 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 4, 2018; 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 2018.

NOW, THEREFORE, BE IT RESOLVED, as follows:

- 1. Sea Girt 5K, Inc. will conduct the foot race to be held on August 4, 2018, 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 4, 2018, 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 Se 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 4, 2018.
- 8. The Sea Girt Police Department shall create a 'No Parking' Zone at the Plaza and along Washington Blvd. to Sixth Avenue from Midnight through 12:00 Noon, inclusive, on August 4, 2018.

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

9. ADMINISTRATOR REPORTS/DISCUSSION

A. Beach News:

- 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, 2018. We appreciate your cooperation;
- Thank you to all those who participated in our latest dune grass planting project on Saturday, April 28; it was a small but very enthusiastic group of volunteers and we appreciate their commitment to helping the Borough.
- **B.** Other News: On Friday, June 15th, Sea Girt Elementary School will rename the North Field to PATRIOTS' FIELD. A monument will be unveiled and dedicated to the various public agencies which serve and protect the students and staff of the school, as well as the greater community of Sea Girt. Honored will be Sea Girt Police, Fire, Public Works, Beach Patrol, and Manasquan First Aid Squad. All Sea Girt residents are invited to join the parents, students and staff of the school, the agencies so honored, and Borough officials beginning at 11:00 AM for the dedication. (This project is completely funded by voluntary donations, resulting in no cost to the Borough or the School System).
- C. Zoning Reminder Pursuant to Chapter XI, Rental Property, Section 11-1 et seq. of the Borough Code, *all* property owners must obtain a Permit before a property can be rented and also requires that a Rental Certificate of Occupancy be issued before leasing all or any part of a residential property and for any change of tenancy thereafter. Applications are available to download from the Borough's website, www.seagirtboro.com by clicking on the Forms and Documents heading on the left side of the home page, then opening the Landlord Leasing tab.
- **D.** Comcast Foundation Award Congratulations to Hunter Connellan, Christian Brothers Academy, he was awarded a \$1,000 Comcast Leaders and Achievers Scholarship.
- E. Master Plan Reexamination Report the first draft of the proposed plan is available on the Borough's website, <u>www.seagirtboro.com</u>, for review by members of the public. Further comments will be heard on the draft plan at the Planning Board's May 16 meeting (meeting is held at the School and begins at 7:00 PM)

10. QPA REPORTS: None

11. **COUNCIL REPORTS:** Councilman Foley and Meixsell had no reports.

Councilwoman Morris reported that Officer Sherman has another successful grant application under his belt; five agencies in the State received grants of 50 Personal Protective Equipment Suits. She noted that the Borough is very proud of Officer Sherman for his efforts.

Councilwoman Anthony reported that the landscape maintenance at all Borough garden beds has been outsourced and the annual flowers will be planted shortly. She also noted that The Holly Club will be soon be preparing the boardwalk planters and they will be in place for the May 26 opening of the beach.

Councilman Mulroy reported that pre-season work is progressing well and reminded everyone to get their beach badge.

Council President Fetzer reported that negotiations with the PBA are proceeding.

Mayor Farrell reported as follows:

- Draft Master Plan Re-examination Report is available on the Borough's website and will be discussed at the Planning Board meeting on May 16;
- Thanked DPW for their efforts in getting the Borough ready for the summer season.

12. **Resolution No. 81-2018:** Payment of bills

BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt that the bills be paid as appearing on the attached Bill Lists date May 4, 2018 in the totals as follows:

CURRENT FUND	\$ 2,	277,466.81
WATER/SEWER OPERATING FUND	\$	30,845.01
BEACH OPERATING FUND	\$	34,922.56
TRUST FUND	\$	2,025.36
RECREATION TRUST FUND	\$	429.37

Recorded Vote:

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

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

Mayor Farrell opened the meeting to the public. Stacy Auk, Lake Como, thanked Council for adopting the Proclamation declaring June 1st as National Gun Violence Awareness Day; the associated Wear Orange Rally is on June 2nd in Asbury Park. Councilwoman Anthony asked if any component of the organization addresses mental health awareness treatments. Ms. Auk responded not right now.

There being no further comments, and by consensus, the public hearing was closed. Mayor Farrell advised that Council has matters to discuss in Executive Session, and requested a motion to adjourn for purposes of the discussion; he further noted that action may be taken by Council upon return to public session and that the public is invited to remain outside and may return to the meeting room when the Council returns to public session. **UPON MOTION** of Councilman Mulroy, seconded by Councilwoman Anthony, carried, that the following **Resolution No. 82-2018** be and the same is hereby adopted:

WHEREAS, Section 8 of the Open Public Meeting Act, N.J.S.A. 10:4-12 permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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

- 1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
- 2. The general nature of the subject matter(s) to be discussed is as follows:
 - a. Ira Walker v. the Borough of Sea Girt, F. Ken Farrell, Individually and in his official capacity as Mayor; James Quigley, Individually and in his official capacity as Zoning and Code Enforcement Official (Note: complaints against Mayor Farrell and Mr. Quigley were dismissed by the Court on the motions for summary judgment filed by their respective Counsels);
 - b. Kenneth Hagel v. Kevin Davenport, Individually and in his official capacity as Chief of the Borough of Sea Girt Police Department; the Borough of Sea Girt Police Department and the Borough of Sea Girt;
 - c. Contract negotiations
- 3. It is anticipated at this time that the subject matters will be made public, if and when, confidentiality is no longer necessary. Action may be taken upon return to public session.
- 4. This Resolution shall take effect immediately.

Recorded Vote:

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

The Council returned to public session at 9:30 PM. There being no further business, and **UPON MOTION** of Council President Fetzer, seconded by Councilman Mulroy, carried, that the meeting be finally adjourned at 9:30 PM.

Lorraine G. Carafá

LORRAINE P. CARAFA, RMC Municipal Clerk

to Last

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

Open: N Rcvd: Y Paid: N Void: N Held: Y

Aprv: N Other: Y Exempt: Y State: Y Bid: Y

PO #	PO Date	Vendor		PO Description	Status	Amount	Void Amount	P0	Туре
17000200	02/07/17	TENNISB	Tennis Bookings	2017 Scheduling services	Open	50.00	0.00		
17000632	06/26/17	FARO1	Fire Apparatus Repair	Repairs on engine 75	Open	1,994.30	0.00		
17001029	11/13/17	FARO1	Fire Apparatus Repair	Repairs	Open	1,250.00			
17001066	11/28/17	00255	AMERICAN UNIFORM & SUPPLY	Carol Hanley, Uniform pants	Open	64.99	0.00		
17001068	11/28/17	00255	AMERICAN UNIFORM & SUPPLY	Sandra Bolchune, uniform pant		64.99	0.00		
17001109	12/13/17	DESCHAMP	Deschamps Mat Systems	Mobi mats	Open	8,762.74			
17001115	12/19/17	01472	RAYMOND F. HANBURY, PH.D.	Psychological evaluations	Open	4,000.00	0.00	В	
18-00001	01/09/18	00045	SEA GIRT BOARD OF ED	2018 School tax 1st half	Open	376,112.00	0.00	В	
18-00011	01/10/18	SBS01	Stewart Business Systems	BO45:510907, Maintenance	Open	204.41	0.00	В	
18-00012	01/10/18	00002	COUNTY OF MONMOUTH - COUNTY	2018 Preliminary Tax billing	Open	1,467,344.51	0.00	В	
18-00013	01/10/18	00003	COUNTY OF MONMOUTH - LIBRARY	2018 Priliminary Tax, Library	Open	102,808.68	0.00	В	
18-00014	01/10/18	00680	COUNTY OF MON OPEN SPACE	2018 Priliminary Tax, Open Spa	Open	86,195.20	0.00	В	
18-00030	01/12/18	00964	A'S GARDEN & HOME CENTER	2018 Misc. Supplies	Open	10.93	0.00	В	
18-00032	01/12/18	AMMM01	Apruzzese, McDermott, Mastro	2018 Services	Open	99.00	0.00	В	
18-00033	01/12/18	00295	ASBURY PARK PRESS	2018 Legal ads	Open	101.00	0.00	В	
18-00036	01/12/18	80000	AT&T	2018 Services	0pen	61.27	0.00	В	
18-00038	01/12/18	00113	AHERN BLUEPRINTING, INC.	2018 Blanket	Open	12.65	0.00	В	
18-00044	01/12/18	00136	THE COAST STAR	2018 Legal ads	Open	102.28	0.00		
18-00045	01/12/18	00136	THE COAST STAR	2018 Legal ads	Open	11.46	0.00		
18-00048	01/12/18	00136	THE COAST STAR	2018 Hydrant Flushing	Open	153.60	0.00		
18-00051	01/12/18	CONSTELL	Constellation NewEnergy, Inc.	2018 Street lighting	Open	396.32	0.00		
			Cross Over Networks	2018 IT Maintenance	Open	3,968.50			
	01/12/18		JASPAN HARDWARE	2018 Misc Supplies	Open	16.99	0.00		-
	01/12/18		JERSEY CENTRAL POWER & LIGHT		Open	1,627.97	0.00		
	01/12/18		JERSEY CENTRAL POWER & LIGHT	2018 Service	Open	158.79	0.00		
	01/12/18		JERSEY CENTRAL POWER & LIGHT	2018 Service	Open	2,255.17			
	01/12/18		JERSEY CENTRAL POWER & LIGHT		Open	220.05	0.00		
	01/12/18		JERSEY CENTRAL POWER & LIGHT	2018 Services	Open	504.14	0.00		
	01/12/18		JERSEY CENTRAL POWER & LIGHT	2018 Service	Open	19.37	0.00		
	01/12/18		The Law Offices of	Planning Brd. Services	Open	1,652.00	0.00		
	01/12/18		MONMOUTH COUNTY TREASURER	2018 Tipping Fees	Open	4,355.41	0.00		
	01/12/18		MONTENEGRO, THOMPSON, ET ALS.		Open	6,745.67	0.00		
	01/12/18		ONE CALL CONCEPTS	2018 Mark-out service	Open	52.50	0.00		
	01/12/18		Optimum	2018 Cable	Open	97.27	0.00		
	01/12/18		Optimum	2018 Cable	Open	14.58	0.00		
	01/12/18		Optimum	2018 Cable	Open	124.89	0.00		
	01/12/18		Stewart Business Systems	2018 Maintenance	Open	40.23	0.00		
	01/12/18		VAN WICKLE AUTO SUPPLY	Misc. Repair Parts	Open	438.64	0.00		
	01/12/18		VERIZON	2018 Service	Open	280.36	0.00		
	01/12/18		VERIZON	2018 Service	Open	40.21	0.00		
	01/12/18		VERIZON	2018 Service	Open.	108.25	0.00		
	01/12/18		VERIZON	2018 Service	Open	39.39	0.00		
	01/12/18		VERIZON	2018 Service	Open	379.55	0.00		
	01/12/18		VERIZON WIRELESS	2018 Service	Open	209.02	0.00		
	01/12/18		Greer Law Firm	Public Defender Services 2018	Open	250.00	0.00		
	01/12/18		Carton Law Firm	Pro	Open	953.75	0.00		
	01/18/18		MON. CTY. POLICE ACADEMY	Course Registration	Open	25.00	0.00		
	01/30/18		NJ ST.ASSOC., CHIEFS of POLICE		Open	500.00	0.00		
	02/27/18		New Jersey State Association	Course Registration, M Mason	Open	165.00	0.00		
~^ AGE10		01686	W.B. MASON COMPANY, INC.	Envelopes	Open	79.95	0.00		

-	Vendor		PO Description	Status	Amount	Void Amount F	о туре
03/05/18	ACTION U	Action Uniform Co.	Badges & Hats	Open	908.00	0.00	
03/16/18	PRAXAIR	Praxair Distribution, Inc.	Welding Rods	Open	158.50		
		MON. CTY. POLICE ACADEMY		,			•
03/22/18	01820	METUCHEN CENTER INC	Beach Staff Uniforms	,			
03/28/18	00081	NJ ST.ASSOC., CHIEFS of POLICE	Course Registration	•	598.00		
		SEA BREEZE FORD	Maintenance Check engine 1		250.26		
04/09/18	01245	Genuine Parts Co.	Parts				 }
04/09/18	01479	CHERRY VALLEY TRACTOR SALES	Kubota Tires	•			
04/10/18	DEMCO01	Demco, Inc.	Receipt paper refill rolls				
04/10/18	KEK01	The Law Offices of					}
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Receipt paper refill rolls Open 04/10/18 EKK01 The Law Offices of Schatzman, 304 Crescent Pkwy Open 04/10/18 MACCO1 United Cleaning Contractors, In window cleaning Open 04/17/18 BDL By Design Landscapes, Inc. Garden Maintenance Open 04/19/18 RECOM Recommunity Recycling Refund double payment Open 04/25/18 AA01 Aspiring Artist, LLC Art Class Instructor Open 04/25/18 AA01 Aspiring Artist, LLC Art Class Instructor Open 04/26/18 01931 LORRAINE P. CARAFA Reimbursement Open 04/26/18 00698 MON. MUNICIPAL JOINT INS. FUND 2nd Installment Open 04/27/18 00143 HULSART & CO. 2017 Audit, progress billing Open 05/01/18 01360 SIMONETTI SPORTS Tennis net Open 05/01/18 01360 SIMONETTI SPORTS Tennis net Open 05/02/18 COWLEYS COWleys Pest Services Raccoon Removal Open 05/01/18 01340 JARED MC KITTRICK Reimbursement Open Open 05/04/18 01413 JARED MC KITTRICK Reimbursement Open Open Open Open Open Open Open Open	03/16/18 PRAXAIR Praxair Distribution, Inc. welding Rods 0pen 158.50 03/19/18 00330 MON. CTY. 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CARAFA Reimbursement 0pen 175,004.00 05/01/18 00360 BARLOW FLOWER FARM Bumper Crop 0pen 175,000 05/01/18 00360 SIMONETTI SPORTS Tennis net 0pen 175,000 05/01/18 01360 SIMONETTI SPORTS Tennis net 0pen 175,000 05/01/18 01360 SIMONETTI SPORTS Tennis net 0pen 175,000 05/01/18 01360 SIMONETTI SPORTS Tennis net 0pen 175,000 05/01/18 01361 SIMONETTI SPORTS Tennis net 0pen 175,000 05/01/18 01360 SIMONETTI SPORTS Tennis net 0pen 175,000 05/01/18 01361 SIMONETTI SPORTS Tennis net 0pen 175,000 05/01/18 01360 SIMONETTI SPORTS Tennis net 0pen 175,000 05/01/18 01360 SIMONETTI SPORTS Tennis net 0pen 175,000 05/01/18 01360 SIMONETTI SPORTS Tennis net 0pen 175,000 05/01/18 01361 SIMONETTI SPORTS Tennis net 0pen 175,000 05/01/18 01361 SIMONETTI SPORTS Tennis net 0pen 175,000 05/01/18 01413 JARED MC KITITICK Reimbursement 0pen 175	03/16/18 PRAXAIR Praxair Distribution, Inc. Welding Rods

Totals by Year-Fu Fund Description		Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	7-01	7,374.28	0.00	7,374.28	0.00	0.00	7,374.28
BEACH OPERATING	7-09	8,762.74	0.00	8,762.74	0.00	0.00	8,762.74
BOARD OF RECREATI Year	7-26 Total:	0.00 16,137.02 2,270,092.53	50.00 50.00	50.00 16,187.02		0.00	50.00 16,187.02
URRENT FUND	8-01	2,167,121.05	0.00	2,167,121.05	0.00	0.00	2,167,121.05
ATER OPERATING	8-05	30,845.01	0.00	30,845.01	0.00	0.00	30,845.01
EACH OPERATING	8-09	26,159.82	0.00	26,159.82	0.00	0.00	26,159.82
RUST OTHER	8-25	1,568.00	0.00	1,568.00	457.36	0.00	2,025.36
OARD OF RECREATI Year	8-26 Total:	429.37 2,226,123.25	0.00	429.37 2,226,123.25		0.00	429.37 2,226,580.61
Total Of All	Funds:	2,242,260.27	50.00	2,242,310.27	457.36	0.00	2,242,767.63
		2,345,231.75					2,345,739.