

**MINUTES - REGULAR MEETING
JUNE 10, 2015**

The Regular Meeting of the Borough of Sea Girt Council was called to order by Mayor Ken Farrell at 7:30 PM on Wednesday, June 10, 2015 at the Sea Girt Elementary School, Bell Place, Sea Girt. The Mayor asked for a moment of silence then led those in attendance in the Pledge of Allegiance.

The Clerk announced that this meeting is called pursuant to the provisions of the Open Public Meetings Act, C. 231, P.L.1975: adequate notice of this meeting has been given by posting a notice on the Borough's official bulletin board and by transmitting a copy of the Notice to the Borough's two official newspapers, the *Asbury Park Press* and the *Coast Star* as required by law.

1. ROLL CALL:

	Present	Absent
Mayor Farrell	X	
Councilman Foley	X	
Councilman Buonocore	X	
Councilwoman Morris	X	
Council President Fetzer	X	
Councilman Mulroy	X	
Councilman Rotolo	X	

There were no Consent Agenda items.

2. APPROVE MINUTES

A. Resolution No. 100-2015: Approve Minutes, May 27, 2015 Regular Meeting

UPON MOTION of Councilperson Buonocore, seconded by Councilperson Rotolo, carried, that the Minutes of the Regular Meeting held May 27, 2015 be and the same are hereby adopted as presented.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley	X			
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo	X			

3. OPEN DISCUSSION (Council is invited to speak on any subject)

Mayor Farrell congratulated Caren (Caterina) May, our Coast Star reporter on her recent marriage.

With respect to proposed Ordinance No. 11-2015, Council President Fetzer suggested that the Council consider implementing a limitation to the prohibition on the storage trucks, boats, etc., possibly to winter months only. Mayor Farrell noted a possible additional item for consideration, a prohibition against the storage of boats, etc. on trailers.

4. **OLD BUSINESS**

A. With respect to proposed Ordinance No. 12-2015: The Council has received suggestions for amending the Ordinance from Chief Willms listed below, who noted that he still prefers a no opt-out option. As written the proposed Ordinance only applies if a business has an alarm; if there is no alarm, the Knox box ordinance does not apply. Mayor Farrell totally understands the position of the Fire Company; and noted that to date, the Council has not received any official request from any business to opt out; unofficial comments only. He further stated that the Knox box requirement is a good idea. Chief Willms has requested a meeting to discuss the objections; Council asked that he have a meeting with the objectors before June 24 if possible. Councilperson Mulroy asked why are we pursuing this {opt-out provision}; the Ordinance is in effect and we should just move forward to implement.

1. Business and/or property owner shall be required to pay for all medical costs to any firefighter who sustains any injury from gaining entry to the building;
2. Building owner & business occupant shall abate any fire prevention violations within 30 days of notice of violation. Any violation that is not abated within 30 days if notice shall have all violation penalties twice the maximum applicable rate;
3. Annual registration fee for any business requesting an opt-out shall be twice the current permit fee;
4. *Business* owner & *property* owner shall be concurrent in their wishes to request this opt-out;
5. All opt-out requests shall be provided in writing to the Business Administrator for review by the Fire Bureau as well as the Borough Council. Request shall provide a reasonable, justified, and bona fide basis for this opt-out. The Fire Bureau and Borough Council, at the expense of the requestor, may investigate the reasoning in order to confirm all claims to be true and warranted. Opt-out should be of a unanimous vote by the Borough Council, and a new resolution should be drafted accordingly for the business & building owner. Opt-out should become null-and-void upon business closing or relocating, as not to provide the ability to keep the part of the building (or whole) able to opt-out for life;
6. Any business that directly connects to a residential occupancy, by any means, shall not be able to request an opt-out in any sorts. Directly connects shall mean that any wall, floor or ceiling at the building requesting the opt-out shall not directly connect to any residential occupancy.

5. **NEW BUSINESS**

A. **Resolution No. 101-2015:** Appoint Class II SLEO, Frank Ciufo, Jr. effectively immediately, at the rate of \$12.00/ hour

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

WHEREAS, the Borough of Sea Girt Police Department is in need of the services of a Class II Special Law Enforcement Officer to support its 2015 operations; and,

WHEREAS, the Chief of Police has reviewed the applications and references of qualified candidates, and recommends the appointment of Frank M. Ciufu, Jr. to this position.

NOW, THEREFORE, BE IT RESOLVED that Frank M. Ciufu, Jr. be appointed as a Class II Special Law Enforcement Officer for the Borough of Sea Girt, at the hourly rate of \$12.00 per hour, effective immediately.

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

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Foley	X			
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo	X			

B. Resolution No. 102-2015: Authorize refund of \$175, to Manasquan River Group of Artists, Special Event canceled

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

WHEREAS, the Manasquan River Group of Artists submitted a Special Event application and fee for the Sea Girt Library Art Show that was scheduled for June 6, 2015 and has requested a refund of the fee as the event has been canceled; and,

WHEREAS, Special Event fees are generally non-refundable, however, the Borough did not utilize any of its resources in support of this event as it was canceled with sufficient notice.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth that the request of the Manasquan River Group of Artists for the refund of the \$175 Special Event fee be and the same is hereby approved.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be supplied to the Manasquan River Group of Artists for their information and the Chief Financial Officer for his action.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Foley	X			
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo	X			

C. **Resolution No. 103-2015:** Amend 2015 budget, c.159, Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund allocation, \$589.33

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

WHEREAS, N.J.S. 40A:4-87 provides that that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and,

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Sea Girt in the County of Monmouth, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$589.33 which is now available from the State of New Jersey Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund pursuant to *N.J.S.A.26:2B-35* in the same amount.

BE IT FURTHER RESOLVED that the like sum of \$589.33 is hereby appropriated under the caption Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund pursuant to *N.J.S.A.26:2B-35*.

BE IT FURTHER RESOLVED that above is the result of funds from the State of New Jersey Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund pursuant to *N.J.S.A.26:2B-35* in the amount of \$589.33.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley	X			
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo	X			

D. **Resolution No. 104-2015:** Appoint DPW seasonal staff , Daniel P. Heaney and Steven B. Hudson effective immediately, at the rate of \$12.00/ hour

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

WHEREAS, the Borough of Sea Girt Department of Public Works is in need of the services of several part-time, seasonal laborers to support its 2015 operations; and,

WHEREAS, the Assistant Manager of the Department has reviewed the applications and references of qualified candidates, and recommends the appointment of Daniel P. Heaney and Steven B. Hudson to the positions.

NOW, THEREFORE, BE IT RESOLVED that Daniel P. Heaney and Steven B. Hudson be appointed as part-time, seasonal laborers for the Borough of Sea Girt, at the hourly rate of \$12.00 per hour, effective immediately.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to Michael McArthur, Assistant Manager, for his information and the Chief Financial Officer for his action.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilman Foley	X			
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo	X			

E. **Resolution No. 105-2015:** Improvements to Stockton Blvd., approve Final Change Order and Supplemental Agreement No. 2, net change to contract price \$5,481.10 and final payment of \$135,578.94 to Fernandes Construction Co.

UPON MOTION of Councilperson Buonocore, seconded by Council President Fetzer, carried, that the following resolution be adopted:

WHEREAS, the Borough Council authorized and awarded a contract to Fernandes Construction, Inc., South River, NJ, on August 7, 2014 for the Project known as Improvements to Stockton Boulevard in the amount of \$245,630.00; and,

WHEREAS, final as-built quantities resulted in an increase in material costs by the amount of \$23,678.51 in the Project cost and a decrease in labor and material costs of \$18,197.4 , representing a net increase of \$5,481.10 or 2.08%, to a new contract total of \$269,608.10; and,

WHEREAS, the Chief Financial Officer has certified to the Borough Council that there are adequate funds available for the purpose of granting this Change Order in the Capital account C-04-55-534-501.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that Final Change Order and Supplemental Agreement No. 2 as referenced above totaling a net increase of \$5,481.10 as an amendment to the contract between Fernandes Construction, Inc., South River, NJ and the Borough of Sea Girt for the Project known as Improvements to Stockton Boulevard be and the same is hereby approved.

BE IT FURTHER RESOLVED that Fernandes Construction Co. has supplied the required Maintenance Bond in the amount of \$67,402.03 and therefore, the final payment due of \$135,578.94 be and the same is hereby approved.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley	X			
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo	X			

F. **Resolution No. 106-2015:** Authorize agreement with Sea Girt 5K, Inc. for event on August 1, 2015

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

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

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

WHEREAS, the Board of Recreation Commissioners of the Borough of Sea Girt, has determined that in order to provide funds, in whole or part, necessary to improve, maintain and police the playgrounds or recreation places under its control, it would be beneficial to jointly sponsor the Sea Girt 5K run on August 1, 2015; 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 2015.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. Sea Girt 5K, Inc. will conduct the foot race to be held on August 1, 2015, 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 1, 2015, the day of the race.
5. Sea Girt 5K, Inc. will pay over to the Borough of Sea Girt not less than 90% of the participation fees in the 5K Run/Walk and not less than 90% of the participation fees in the Kids Races.
6. The net proceeds of the entry fees collected by Sea Girt 5K, Inc. after deduction of the expenses set forth in Section 5, above shall be retained by the Sea Girt 5K, Inc. for use and or charitable donations to be made in the sole discretion of Sea Girt 5K, Inc.
7. The Sea Girt Noise Ordinance is hereby waived between the hours of 7:30 AM to 8:00 AM, inclusive, on August 1, 2015.
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 1, 2015.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilperson Foley	X			
Councilperson Buonocore	X			
Councilperson Morris	X			
Council President Fetzer	X			
Councilperson Mulroy	X			
Councilperson Rotolo	X			

6. **ADMINISTRATOR REPORTS/DISCUSSION**

- A. **Outfall Extension/Drainage Improvements** – additional information has been submitted to the NJEIT as they requested; confirmed that our proposed bid issuance and award schedule is reasonable; forwarded bid specifications to DEP, Office of Equal Opportunity and Public Contract Assistance to comply with required 30-day minimum notice prior to advertising the Notice to Bidders.
- B. **2015 Beach Season:**
 - New boardwalk openings (stairs and ramps) – have been completed;
 - New accessibility mats for handicapped access were installed late last week.
- C. **Road Projects:**
 - **Baltimore Blvd. Utility Improvements** – project is complete with the exception of punch list items; Council President Fetzer noted that the replacement of sod where the area was disturbed during construction was not done properly; The Administrator advised that this item tops the punch list items and will be addressed.
- D. **HMGP Grant** – The Administrator noted that the Borough received notice that our Hazard Mitigation Grant Program application (through FEMA) for an emergency generator to be located at the DPW facility has been approved in the amount of \$30,157. with no cost-share requirement. The project can begin once the agreement has been executed; a kick-off meeting with FEMA representatives will be scheduled soon.
- E. **Impervious Surface information** – review of proposed changes is on-going.
- F. **Private, For-Profit Business using Borough Property Policy** – The Administrator noted that she and the Borough Attorney are working on revisions to the basic policy presented at the last meeting;
- G. **Thank you** to Mr. & Mrs. Joseph Konzelmann and their associates from the Goldman Sachs Community Works team who completed several community service projects at various locations in the Borough and along our beach on Friday, June 5.
- H. **Crescent Park Tennis Courts Status Update** – condition status update – contractor has been contacted and we are working with him to determine an appropriate resolution to the problems noted.

7. **QPA REPORTS** (of activity since previous Council Meeting): None

8. COUNCIL REPORTS

Councilpersons Foley, Buonocore and Rotolo had no reports.

Councilperson Morris reported as follows:

- Library:
 - a. Annual book sale is scheduled for July 10 from 2-6 pm, July 11 from 10-4 and July 12 from 12-2, respectively.
 - b. Annual Wine and cheese event is Saturday, September 13 from 5-7.
 - c. Friends of Library submitted their incorporation papers to the State.
- Police:
 - a. last week Christian Joule was recognized by Monmouth County 200 Club for commendation and cash award.
 - b. Retirement of Robert Melendez is imminent and she is pleased to announce that Special Officer Jeremy Sorrentino will be our next appointee with his swearing-in scheduled for July 8th. She noted that SLEO Sorrentino excelled during the interviews with other officers and Councilmembers.

Councilperson Mulroy reported as follows:

- Beach - Weather has not been cooperating; Jr. Guard Program is excellent and a great value; also offering surf camps and baby guards.

Council President Fetzer reported as follows:

- Water – According to the DEP, the Borough is in a deficit situation but noted that the only shortfall occurred during 2010, during the construction of the new plant when the old plant was still on-line and using a large volume of water for the backwash process; the new plant and new wells are calibrated and recording properly. He did urge residents to conserve water during the summer months.

Mayor Farrell reported as follows:

- a. SMRSA – Lake Como pump station rebuilt; Pitney Ave. pump station is being reconstructed now; preliminary design stage of Belmar pump station; as of June 8, Sea Girt flows are slightly less than other SMRSA members.
- b. Sea Girt Avenue – County had asked Borough to pay for labor; now County has asked Borough to enter into an agreement so the Borough can be reimbursed for labor to be done by our contractor, Mark Woszczak, if Council agrees. There were no objections from other Councilmembers. He also thanked Joe Ettore and Freeholders Curley and Arnone for their assistance.

9. **Resolution No. 106-2015:** Payment of bills

BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt that bills be paid as appearing on the attached Bill Lists dated June 5, 2015 in the totals as follows:

CURRENT FUND	\$ 93,939.90
WATER/SEWER OPERATING FUND	\$ 7,902.87
BEACH OPERATING FUND	\$ 8,263.62
TRUST	\$ 1,022.00
RECREATION TRUST	\$ 1,466.99
BEACH CAPITAL	\$ 2,099.00
GENERAL CAPITAL	\$ 136,756.40
WATER CAPITAL	\$ 5,148.90

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Foley	X			
Councilman Buonocore	X			
Councilwoman Morris	X			
Council President Fetzer	X			
Councilman Mulroy	X			
Councilman Rotolo	X			

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

- Elly Caprioni, Inspiration Hair Salon – concerned with customer parking on the day of the Fun Run and 5K and objected to the scheduling of the events one week apart. Chief Davenport will accommodate as best as possible.
- John O’Grady, The Terrace – asked to put a date on impervious surface Ordinance and he requested that *The Coast Star* put notice in the paper regarding prohibition on use of fireworks; asked that additional street names be added to the Boardwalk; dedicate trees to community members.
- Robert Kregg, Boston Blvd., why no walkway on Brooklyn Blvd? POD on block of 500 New York Blvd. for weeks.

There being no further business and **UPON MOTION** of Councilperson Rotolo, seconded by Councilperson Foley, carried, that the meeting be finally adjourned at 8:40PM.

Lorraine P. Carafa, RMC
 Municipal Clerk