

**AGENDA - REGULAR MEETING
APRIL 12, 2017**

1. **CALL TO ORDER AT 7:30 PM**
2. **MOMENT OF SILENCE**
3. **SALUTE TO THE FLAG**
4. **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.

5. **ROLL CALL:**

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

6. **PUBLIC PARTICIPATION ON ANY CONSENT AGENDA ITEM** (Comments limited to 7 minutes)

7. **CONSENT AGENDA - Resolution No. __-2017**

(All matters listed hereunder are considered to be routine in nature and will be enacted in one motion. Any person may request that an item be removed for separate consideration):

- Application for Raffle License, Holly Club, May 14, 2017, 4:00 PM

8. **APPROVE MINUTES**

- **Resolution No. __-2017:** Approve Minutes, Regular Meeting held March 22, 2017 (Councilperson Foley to abstain)

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

10. **OLD BUSINESS**

A. Public Hearing/Possible Adoption - 2017 Municipal Budget

- a. COLA has been calculated at 0.5%;
- b. Ordinance No. 01-2017 – authorizes 3.5% increase *and* allows CAP banking; banking is not permitted without the adoption of the Ordinance; adopted on January 25, 2017;
- c. 2017 proposed budget is within 3.5% appropriations CAP;
- d. the proposed levy is within the 2% Levy CAP;
- e. revenue projections – State aid will remain flat for 2017;
- f. 6th consecutive year – since 2012, the Council has consistently reduced the municipal tax levy (2017: \$5,031,254; 2016: \$5,042,521)

- g. 6th consecutive year – since 2012, the Council has consistently reduced the municipal rate (2017 preliminary rate: \$0.21; 2016 actual: \$0.22);
- h. The Borough’s gross surplus balance as of 12.31.2016 is \$2,479,144, with a usable balance of \$2,422,883; after reductions for the 2017 surplus anticipated and other liabilities, the net usable surplus balance is \$839,681, representing 12.9% of our operating budget. To put this figure in perspective, in 2008, the Borough’s net usable surplus balance was approximately \$30,000, or now 25 times greater.
- i. Maintains all services at current levels;
- j. The final County levy figure will not be available until the conclusion of the 2017 appeal process, expected to be on or about May 4;
- k. See the table below for a snapshot of the impact the reduced rate will have on your municipal taxes; ***please note that these values represent municipal taxes only as the Borough of Sea Girt has no control over County or School taxes:***

2017		2016	
ASSESSED VALUE	MUNICIPAL TAX LEVY	ASSESSED VALUE	MUNICIPAL TAX LEVY
\$ 1,000,000.00	\$ 2,100.00	\$ 1,000,000.00	\$ 2,190.00
\$ 1,500,000.00	\$ 3,150.00	\$ 1,500,000.00	\$ 3,285.00
\$ 2,000,000.00	\$ 4,200.00	\$ 2,000,000.00	\$ 4,380.00
\$ 3,000,000.00	\$ 6,300.00	\$ 3,000,000.00	\$ 6,570.00
\$ 3,500,000.00	\$ 7,350.00	\$ 3,500,000.00	\$ 7,665.00
\$ 4,000,000.00	\$ 8,400.00	\$ 4,000,000.00	\$ 8,760.00
\$ 4,500,000.00	\$ 9,450.00	\$ 4,500,000.00	\$ 9,855.00
\$ 5,000,000.00	\$ 10,500.00	\$ 5,000,000.00	\$ 10,950.00

- l. **Resolution No. __-2017:** certification by the Municipal Clerk that a copy of the Budget has been available for public review in the Municipal Office since March 9, 2017 and in the Sea Girt Library since March 14, 2017 is on file; and authorization to read said Budget by Title only. - __moves, seconded by __ (consensus vote)

m. Public Hearing

- Motion to open the meeting for comments on the said Budget only (consensus vote)
- Comments, if any
- Motion to close the public hearing (consensus vote)
- **Resolution No. __-2017:** To amend the 2017 Municipal Budget
- **Resolution No. __-2017:** To adopt the 2017 Municipal Budget , as amended

B. Ordinances – public hearing/possible adoption

- **Ordinance No. 03-2017** – The Mayor to read the said Ordinance by Title and advise of its publication in *The Coast Star* on March 30, 2017:

ORDINANCE NO. 03-2017

AN ORDINANCE PROVIDING FOR THE REPLACEMENT OF HVAC EQUIPMENT IN BOROUGH HALL AND PROVIDING FOR THE COST THEREOF FROM THE CAPITAL IMPROVEMENT FUND IN AND BY THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, NEW JERSEY

- a. Motion to open the meeting to the public for comments on the said Ordinance only - ___moves, seconded by ___ (consensus vote)
- b. Comments, if any
- c. Motion to close the public hearing - ___moves, seconded by ___ (consensus vote)
- d. Motion to adopt the said Ordinance on final reading, directing the Clerk to post and publish as required by law.

- **Ordinance No. 04-2017** – The Mayor to read the said Ordinance by Title and advise of its publication in *The Coast Star* on March 30, 2017:

ORDINANCE NO. 04-2017

ORDINANCE PROVIDING FOR THE ACQUISITION OF EQUIPMENT FOR THE WATER-SEWER UTILITY, AND APPROPRIATING THE COST THEREFOR FROM THE CAPITAL IMPROVEMENT FUND, AUTHORIZED IN AND BY THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, NEW JERSEY

- a. Motion to open the meeting to the public for comments on the said Ordinance only - ___moves, seconded by ___ (consensus vote)
- b. Comments, if any
- c. Motion to close the public hearing - ___moves, seconded by ___ (consensus vote)
- d. Motion to adopt the said Ordinance on final reading, directing the Clerk to post and publish as required by law.

11. NEW BUSINESS

A. Ordinances: introduction

1. **Ordinance No. 05-2017:** The Mayor to read the Ordinance No. 05-2017 by Title:

ORDINANCE NO. 05-2017

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

- Motion to adopt the said Ordinance on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as April 26, 2017

2. **Ordinance No. 06-2017:** The Mayor to read the Ordinance No. 06-2017 by Title:

ORDINANCE NO. 06-2017

AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF THE LAND USE VOLUME OF THE BOROUGH OF SEA GIRT CODE, MORE PARTICULARLY SECTION 15-3.6 OF CHAPTER XV, LAND USE PROCEDURES, SECTION 17-2, DEFINITIONS; SECTION 17-4, SCHEDULE OF LIMITATIONS; AND SECTION 17-5, GENERAL REGULATIONS OF CHAPTER XVII, ZONING, IN THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH

- Motion to adopt the said Ordinance on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as May 10, 2017

3. **Ordinance No. 07-2017:** The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 07-2017

AN ORDINANCE TO AMEND AND SUPPLEMENT SECTIONS 7-16, PARKING OF CERTAIN TRUCKS, VEHICLES AND TRAILERS PROHIBITED AND 7-21, MULTI-WAY STOP INTERSECTIONS OF CHAPTER VII, TRAFFIC IN THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH

- Motion to adopt the said Ordinance on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as April 26, 2017

4. **Ordinance No. 08-2017:** The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 08-2017

AN ORDINANCE PROVIDING FOR THE PURCHASE OF EQUIPMENT NECESSARY TO THE BOROUGH'S RECYCLING PROGRAM AND PROVIDING FOR THE COST THEREOF FROM THE RESERVE FOR RECYCLING TRUST FUND AND RESERVE FOR CLEAN COMMUNITIES FUND OF THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH

- Motion to adopt the said Ordinance on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as April 26, 2017

5. **Ordinance No. 09-2017:** The Mayor to read the said Ordinance by Title.

ORDINANCE NO. 09-2017

BOND ORDINANCE PROVIDING FOR VARIOUS 2017 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$550,800 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$425,321 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF

- Motion to adopt the said Ordinance on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as April 26, 2017

- B. **Resolution No. __-2017:** Authorize final payment, Fernandes Construction, Inc., Improvements to Neptune and Seaside Places and Morven Terrace, \$6,605.29
- C. **Resolution No. __-2017:** Appoint Class I AND II SLEO's for 2017
- D. **Resolution No. __-2017:** Authorize Shared Services Agreement with Township of Wall, Municipal Court facilities and personnel
- E. **Resolution No. __-2017:** Resolution to Allow Active Military and their Dependents to have Free Access to Borough Beaches for 2017
- F. **Resolution No. __-2017:** Accept proposal, tree removal services, Clavin Tree Service, \$2,950.00
- G. **Resolution No. __-2017:** Award contract, Improvements to The Terrace, to the 2nd lowest bidder, All Surface Asphalt Paving, Pt. Pleasant, NJ, \$293,160; low bidder, 3G Construction, Inc., South River, NJ, \$288,821.00 failed to submit Consent of Surety with the bid

12. ADMINISTRATOR REPORTS/DISCUSSION

- a. **Beach News** – Beach badge registration is now open - for 2017, *this is an on-line process only*. Please see detailed information on the Borough’s website, www.seagirtboro.com or log in to Community Pass directly via this link: <https://register.communitypass.net/SeaGirtBorough>
- b. **Shade Tree News** – *please note the new date*: the Borough’s Shade Tree Commission is participating in the DEP’s Sandy Tree Recovery Program and will be distributing free bare root seedlings of various species’ to residents on **Saturday, April 29** from 9:00 AM to 11:00 AM from the school parking lot. Planting directions will be distributed with the seedlings, but the trees must be planted within 48 hours of receipt. The seedlings are for planting on private property (they are *not* suitable apron trees).
- c. **Other** – Tickets are now on sale for the Borough’s September 9, 2017 “Once in our Lifetime” Centennial Celebration including a parade with children’s activities immediately following at Baltimore Park and an evening of dinner and dancing under tents on the grounds of the NGTC. Ticket information is posted on the Borough’s website, www.seagirtboro.com, click on “Centennial Celebration” on the upper left of the home page.

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

14. COUNCIL REPORTS

15. **Resolution No. __-2017**: Payment of bills

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

17. **Resolution No. __-2017: Executive Session, if necessary** – to update Council on proceedings in any or all of the following litigation and/or personnel matters; please note that action may be taken by Council upon return to public session. The public is invited to remain outside and may return to the meeting room when the Council returns to public session.

- A. Personnel matters (grievance);
- B. 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;
- C. Kevin Thompson and Susan Thompson v. Borough of Sea Girt, Borough of Sea Girt Department of Public Works, Al Bunting, Ken Farrell, Fred Buonocore, Michael Mulroy, Anne Morris, Paul Cerami, ABC Corp.(s) 1-10, John Doe(s) 1-10, and/or Jane Doe(s) 1-10;
- D. 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;
- E. Patricia Raffetto v. State of New Jersey; State of New Jersey Department of Law and Public Safety; New Jersey State Police; New Jersey State Police Office of Forensic Sciences East Regional Laboratory; State of New Jersey Department of Military and Veterans Affairs; New Jersey Army National Guard; Borough of Sea Girt; Borough of Sea Girt Department of Public Works; Borough of Sea Girt Shade Tree Commission; Monmouth County Shade Tree Commission, et als.

18. ADJOURN