

**AGENDA – RESCHEDULED REGULAR MEETING
May 1, 2019**

1. **CALL TO ORDER AT 7:00 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 rescheduled regular 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 Meixsell		
Councilwoman Morris		
Council President Fetzer		
Councilman Mulroy		
Councilwoman Anthony		

6. **PUBLIC PARTICIPATION ON ANY CONSENT AGENDA ITEM** (Comments limited to 7 minutes)
7. **CONSENT AGENDA - Resolution No. __-2019:** (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).
 - Special Event Application, Wall Twp. HS Swim Club, Mile Ocean Swim, August 10, 2019, 6:00 AM;
 - Special Event Application, SGES PTO, Memorial Day Event at Baltimore Park, May 27, 10 AM - Noon
 - NJ State Firemen's Association Membership Application for Neil Robinson and Marcelo Zilioli;

8. **MINUTES**

- A. **Resolution No. __-2019:** Approve Minutes, Regular Meeting held April 10, 2019

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

10. **OLD BUSINESS**

- A. **Resolution No. __-2019:** Authorize Sale of Excess Public Property
This matter was introduced at the April 10, 2019 meeting as Ordinance No. 14-2019; since then, guidance received from the Borough Attorney clarified that the sale of excess public property can be authorized via a Resolution.
- B. **Ordinance No. 13-2019:** The Mayor to read the said Ordinance by Title:

ORDINANCE NO. 13-2019

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VII, TRAFFIC,
ARTICLE 7-39.1, HANDICAPPED PARKING, OF THE BOROUGH CODE OF THE
BOROUGH OF SEA GIRT

Purpose: To move handicapped parking from east side of Third Avenue at Philadelphia Blvd. to the north side of Philadelphia Blvd. near the new ramp accessing St. Uriel's

- Motion to open the meeting to the public for comments on the said Ordinance only - __moves, seconded by __ (consensus vote)
- Comments, if any
- Motion to close the public hearing - __moves, seconded by __ (consensus vote)
- 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

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

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

Purpose: To require a retaining wall be erected when an excavation is within fifteen (15) feet of another structure or driveway

- 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 22, 2019

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

ORDINANCE NO.15-2019

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XII, BUILDING,
AND HOUSING, ARTICLE 12, CONSTRUCTION PROCEDURES AND SITE
REGULATIONS, OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT,
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 22, 2019

- A. Resolution No. __-2019:** Authorizing Refund of Sewer Tap Fee, Kenmar Development, LLC, \$4,200 (existing tap was utilized)

- B. Resolution No. __-2019:** Authorize lease with New York SMSA Limited Partnership dba Verizon Wireless, 5 year initial term with renewal option, \$30,000 initial annual rent, increasing 3% per year thereafter

- C. Resolution No. __-2019:** Authorize issuance of 2019 Taxi Owner Licenses

D. Resolution No. __-2019: Authorize State Contract #A88728, T2776 Purchases, Winner Ford

12. ADMINISTRATOR REPORTS/DISCUSSION

1. **Request to allow Conditionally Permitted Use in the District 2E Convenience Commercial Zone** – please refer to the information previously supplied to Council; recommended action for future meeting, if any?
2. **Beach News:**
 - Beach opens for the season on Saturday, May 25; avoid the crowd and pick up your badges before Memorial Day weekend at Borough Hall on Wednesday, May 8 from 10 AM to 2 PM; at the Beach Pavilion, Monday through Friday, May 20 – 24 , inclusive from 10 AM to 2 PM;
 - **Boardwalk Reminders** – no smoking or vaping on the beach or boardwalk; dogs are not permitted on the Borough’s Boardwalk at any time; dogs are now prohibited from the Borough beach through September 30, 2019. We appreciate your cooperation;
4. **Memorial Day Parade and Ceremony, Monday, May 27** beginning at 8:45 AM at SGES; followed by the Baltimore Park rededication ceremony; that will be followed by games and other events sponsored by the PTO. In the event of rain, a limited ceremony will be held inside at the SGES.

13. QPA REPORTS:

14. COUNCIL REPORTS

15. Resolution No. __-2019: Payment of bills

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

17. Resolution No. __-2019: Executive Session, if necessary to update Council on proceedings in any or all of the following 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.

1. Ira Walker v. the Borough of Sea Girt, F. Ken Farrell, Individually and in his official capacity as Mayor; James Quigley, Individually and in his official capacity as Zoning and Code Enforcement Official (*Note:* complaints against Mayor Farrell and Mr. Quigley were dismissed by the Court on the motions for summary judgment filed by their respective Counsels);
2. Kenneth Hagel v. Kevin Davenport, Individually and in his official capacity as Chief of the Borough of Sea Girt Police Department; the Borough of Sea Girt Police Department and the Borough of Sea Girt;

18. ADJOURN