

MINUTES
REGULAR/VIRTUAL MEETING
April 26, 2023 - 7:00 PM

The regular/virtual meeting of the Borough of Sea Girt Council was called to order by Mayor Don Fetzer at 7:03 PM on Wednesday, April 26, 2023. Mayor Fetzer asked for a moment of silence; he then led those participating 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, Chapter 231, P.L.1975: adequate notice of this meeting has been given by posting the Notice on the Borough's Bulletin Board and by transmitting 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
Council President Anthony	X	
Councilman Clemmensen	X	
Councilman Downey	X	
Councilman Perry	X	
Councilwoman Richman		X
Councilman Zakin	X	
Mayor Fetzer	X	

2. PRESENTATIONS:

- Andrew Bayer, Esq. presented a Fair Share Housing Settlement Overview to councilmembers and the public via zoom platform.
- Robert Brice, JCP&L presented a Smart Meter Overview to the councilmembers and the public. Smart Meters will enable automated meter reading and may enhance JPC&L's ability to respond quicker to outages; access to more detailed energy information through their online Home Energy Analyzer tool.
- Mayor Fetzer recognized Tom Crawley, Manasquan First Aid Member, and afforded him an opportunity to present on behalf of the Manasquan First Aid Squad.

3. CONSENT AGENDA - UPON MOTION of Councilman Clemmensen, seconded by Council President Anthony, carried, that the following Resolutions be and the same are hereby adopted:

- **R-43-2023: Authorize Incoming 8th Graders of Sea Girt Elementary School to Sell Merchandise on Borough Boardwalk to Fundraise for 8th Grade Class Trip**

WHEREAS, the incoming 8th Grade class of the Sea Girt Elementary School has requested permission to sell merchandise on the Borough Boardwalk beginning Memorial Day through Labor Day for the purpose of fundraising.

NOW, THEREFORE, BE IT RESOLVED, that permission is hereby granted to the incoming 8th graders of Sea Girt Elementary School to sell merchandise on the Borough Boardwalk beginning Memorial Day through Labor Day for the purpose of fundraising.

- **R-44-2023: Appoint Class I Special Law Enforcement Officer – Justin Skelly**

WHEREAS, the Borough of Sea Girt Police Department is in need of the services of a Class I Special Law Enforcement Officer to support its 2023 operations; and,

WHEREAS, the Chief of Police has reviewed the application and references of Justin Skelly and recommends his appointment to this position; and

NOW, THEREFORE, BE IT RESOLVED that the above applicant be appointed as Class I Special Law Enforcement Officer for the Borough of Sea Girt, at the hourly rate of \$15.50 per hour effective April 26, 2023.

- **R-45-2023: Proclaim “*Distracted Driving Crackdown*” April 1 - 30, 2023**

Whereas, distracted driving is a serious, life-threatening practice that is preventable; and

Whereas, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

Whereas, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

Whereas, from 2011-2020 distracted driving-related crashes resulted in 32,000 deaths on our nation’s roads; and

Whereas, in New Jersey distracted driving was listed as a contributing circumstance in 50-percent of all motor vehicle crashes from 2016-2020; and

Whereas, the State of New Jersey will participate in the nationwide *Distracted Driving 2023 Crackdown* from April 1 - 30, 2023 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

Whereas, the national slogan for the campaign is UDrive. UText. UPay; and

Whereas, a reduction in distracted driving in New Jersey will save lives on our roadways;

Therefore, be is resolved that Sea Girt Borough declares its support for the *Distracted Driving 2023 Crackdown* both locally and nationally from April 1 - 30, 2023 and pledges to increase awareness of the dangers of distracted driving.

- **R-46-2023: Proclaim April 28th 2023 as “*Arbor Day*”**

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and,

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and,

WHEREAS, trees can reduce erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen, and provide habitat for wildlife; and,

WHEREAS, trees in our Borough increase property values, enhance the economic vitality of business areas, and beautify our community; and,

WHEREAS, the Borough of Sea Girt has achieved “Tree City USA” status by meeting the program’s four requirements: a tree board or department, a tree-care ordinance, an annual community forestry budget of at least \$2 per capita and an Arbor Day observance.

NOW, THEREFORE, BE IT MEMORIALIZED by the Mayor and Borough Council of the Borough of Sea Girt that April 28th, 2023 is celebrated as **ARBOR DAY** in the community of Sea Girt and we urge all citizens to support efforts to protect our existing trees and woodlands and we urge all citizens to plant trees to beautify our community and promote the well-being of present and future generations.

- **R-47-2023: Authorize Application for Merchandise Raffle License, Norah Elizabeth Bruther Memorial Scholarship Fund, May 13, 2023**

WHEREAS, the Norah Elizabeth Bruther Memorial Scholarship Fund has made application to the Borough Council for a license to conduct a raffle for the benefit of the Memorial Scholarship Fund, on May 13, 2023 at 4:00 PM.

WHEREAS, the above is being conducted in accordance with Findings and Determinations of the verifying officer.

- **R-48-2023: Authorize Application for 50/50 Raffle License, Norah Elizabeth Bruther Memorial Scholarship Fund, May 13, 2023**

WHEREAS, the Norah Elizabeth Bruther Memorial Scholarship Fund has made application to the Borough Council for a license to conduct a 50/50 raffle for the benefit of the Norah Elizabeth Bruther Memorial Scholarship Fund, on May 13, 2023 at 4:00 PM.

WHEREAS, the above is being conducted in accordance with Findings and Determinations of the verifying officer.

- **R-49-2023: Approve Special Event Application for Wall High School 27th Annual Ocean Mile Swim, August 13, 2023**

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 13, 2023, 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 13, 2023 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, 2023.

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

- **R-50-2023: Authorize Zoning Escrow Refund – 210 The Terrace**

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 13, 2023, 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 13, 2023 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, 2023.

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

2. APPROVE MINUTES:

- **R-62-2023: Approve Regular Meeting Minutes of March 8, 2023**

UPON MOTION of Councilman Downey, seconded by Councilman Perry, carried, that the Minutes of the Virtual Regular Meeting held March 8, 2023 be and the same are hereby approved.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Councilwoman Anthony	X			
Councilman Clemmensen	X			
Councilman Downey	X			
Councilman Perry	X			
Councilwoman Richman			X	
Councilman Zakin	X			

3. OPEN DISCUSSION:

Council President Anthony commented there will be an Arbor Day Ceremony on Friday, April 28th at the Sea Girt Elementary School at 2:00 pm. She also recognized 2023 Earth Day and the following volunteer projects: Crescent Park Tree Plantings; Edgemere Park initial prep work for upcoming pollinator garden project and Sea Girt Station removal of English Ivy and other invasive plants as well as placement of wood chips. On April 19th Council President Anthony and Mike Matthews attended the 2023 Invasive Species Conference and noted Sea Girt is following the current scientific research and best practices as they pertain to the management of our parks and open spaces. The Sea Girt Conservancy will be meeting next week to vote on the RFP for the installation of the deer fencing at Edgemere Park. The Sea Girt Conservancy with the approval of the borough is also applying for a grant from NJ Audubon Society toward the purchase of bird houses at Edgemere and Crescent Parks.

Councilman Zakin and Mayor Fetzer both thanked Council President Anthony for her efforts at Edgemere Park and Station Park.

4. OLD BUSINESS:

- A. Ordinance No. 02-2023:** The Mayor to read the said Ordinance by Title, advising of its publication in its entirety in the Coast Star on March 16, 2023:

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER IV, PARAGRAPHS 7-37 DELIVER AND LOADING ZONE, 7-38 TAXI PARKING/RIDE SHARE DROPOFF AND PICKUP ZONE, 4-10.19 TAXI STANDS; RIDE SHARE DROPOFF OR PICKUP ZONE OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT, MONMOUTH COUNTY

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

Tom Schnurr, Beacon Boulevard voiced his concern with the current ride share disallowing the use of Beacon Boulevard for other than taxi and rideshare drop-off.

UPON MOTION of Councilman Clemmensen, seconded by Council President Anthony, carried, the public hearing was closed.

UPON MOTION of Councilman Perry, seconded by Councilman Downey, carried, that the said Ordinance No. 02-2023 be adopted on final reading, directing the Clerk to post and publish as required by law.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Council President Anthony	X			
Councilman Clemmensen	X			
Councilman Downey	X			
Councilman Perry	X			
Councilwoman Richman			X	
Councilman Zakin	X			

5. NEW BUSINESS

A point of order was raised at this time by Administrator Jim Gant asking to have the resolution to Temporarily Suspend Chapter IV Licensing and Business Regulation's moved to the beginning of New Business to correspond with the previous Ordinance 02-2023.

- **R-61-2023: Temporarily Suspend Chapter IV Licensing and Business Regulations, Paragraphs 4-10.3 Requirements of Taxi/Autocab Owner or Operator License; 4-10.4 Requirements of Licenses; 4-10.5 Number of Licenses; 4-10.6 Expiration Date; Licenses Not Transferable; Renewals; 4-10.7 Applications for Licenses; 4-10.8 Issuance of Licenses; 4-10.9 Fees; 4-10.10 Denial, Revocation, or Suspension of Licenses; 4-10.11 Display of License and Certificate of Insurance; 4-10.13 Lettering and Visual Identification Symbol; and 4-10.16 Insurance, of The Borough Code of The Borough of Sea Girt Monmouth County**

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

WHEREAS, the Borough is adopting an ordinance relating to Chapter IV, Paragraphs 7-37 Deliver and Loading Zone, 7-38 Taxi Parking/Ride Share Dropoff and Pickup Zone, 4-10.19 Taxi Stands; Ride Share Dropoff or Pickup Zone of The Borough Code of The Borough of Sea Girt, Monmouth County; and

WHEREAS, while a permanent solution for the First Ave. Taxi pick-up/drop off adjacent to the Parker House is being worked on, the governing body is adopting an ordinance to govern its operation for the 2023 summer season; and

WHEREAS, for the 2023 summer season due to the temporary nature of the Borough's current taxi stand the council finds it in the best interests of the Borough and its residents to suspend the licensing of cabs and related sections of Chapter IV of the Borough Code while the Council seeks that permanent solution, as well as to lessen the Borough's administrative burden, while assuring control and safety through existing ordinances.

NOW, THEREFORE, BE IT RESOLVED, the following paragraphs found in Chapter IV Licensing

and Business Regulations of the Borough Code are hereby suspended for the 2023 season in its entirety: Paragraphs 4-10.3 Requirements of Taxi/Autocab Owner or Operator License; 4-10.4 Requirements of Licenses; 4-10.5 Number of Licenses; 4-10.6 Expiration Date; Licenses Not Transferable; Renewals; 4-10.7 Applications for Licenses; 4-10.8 Issuance of Licenses; 4-10.9 Fees; 4-10.10 Denial, Revocation, or Suspension of Licenses; 4-10.11 Display of License and Certificate of Insurance; 4-10.13 Lettering and Visual Identification Symbol; and 4-10.16 Municipal Required Insurance.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Council President Anthony	X			
Councilman Clemmensen	X			
Councilman Downey	X			
Councilman Perry	X			
Councilwoman Richman			X	
Councilman Zakin	X			

A. Introduction - Ordinance No. 03-2023: The Mayor to read the said Ordinance by Title:

AN ORDINANCE AUTHORIZING THE MUNICIPAL CLERK TO ACT AS THE ISSUING AUTHORITY TO APPROVE RAFFLE AND BINGO LICENSES IN THE BOROUGH OF SEA GIRT, MONMOUTH COUNTY

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

Section 1. N.J.A.C. 13:47-1.1 permits the governing body of a municipality to delegate, by ordinance, authority to a person to approve the granting of raffle and bingo licenses.

Section 2. The Borough Council designates the Municipal Clerk of the Borough of Sea Girt as the person having authority to approve the granting of raffle and bingo licenses pursuant to the terms of N.J.A.C 13:47-1.1.

Section 3. The Municipal Clerk shall file a certified copy of this Ordinance to the Legalized Games of Chance Control Commission.

Section 4. If any part or parts of this Ordinances are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this ordinance.

Section 5. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

Section 6. This ordinance shall become effective immediately upon its final passage and publication as required by law.

UPON MOTION of Councilman Zakin, seconded by Councilman Perry, carried, that the said Ordinance No. 03-2023 be and the same is hereby adopted on first reading, directing the Clerk to post and publish as required by law and setting the date of the public hearing as June 14, 2023.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Council President Anthony	X			
Councilman Clemmensen	X			
Councilman Downey	X			
Councilman Perry	X			
Councilwoman Richman			X	

Councilman Zakin	X			
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B. Introduction – Ordinance 04-2023: The Mayor to read the said Ordinance by Title:

GENERAL CAPITAL ORDINANCE PROVIDING FOR THE REHABILITATION OF CRESCENT PARK AND BELL PLACE TENNIS COURTS IN AND BY THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AND APPROPRIATING \$100,000.00

WHEREAS, the Mayor and Council of the Borough of Sea Girt in the County of Monmouth, New Jersey have determined that the Tennis Courts located at Crescent Park and Bell Place are in need of rehabilitation; and

WHEREAS, the Borough has in excess of \$100,000.00 in its General Capital Improvement Fund; and

WHEREAS, the Sea Girt Board of Education has agreed to reimburse the Borough of Sea Girt \$24,500.00 for the Bell Place Tennis Court Rehabilitation upon completion of the project; and

WHEREAS, the Sea Girt Board of Recreation has agreed to reimburse the Borough of Sea Girt up to 50% of the Crescent Park Tennis Court rehabilitation with a not to exceed amount of \$32,000.00 upon completion of the project;

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

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general capital improvement to be undertaken in and by the Borough of Sea Girt, in the County of Monmouth, New Jersey. For the improvements or purposes described in Section 2, there is hereby appropriated \$100,000.00. Said sum being inclusive of \$100,000.00 from the General Capital Improvement Fund.

Section 2. The improvement hereby authorized to be undertaken consist of the rehabilitation of both the Crescent Park and Bell Place Courts to include crack repair, resurfacing and line painting, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefore on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section 3. The 2023 capital budget of the Borough will conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 4. The Borough Officials and representatives are hereby authorized to do all things necessary to accomplish the purpose of the appropriation made herein.

Section 5. This ordinance shall take effect as provided by law.

UPON MOTION of Councilman Zakin, seconded by Councilman Perry, carried, that the said Ordinance No. 03-2023 be and the same is hereby adopted on first reading, directing the Clerk to post and publish as required by law and setting the date of the public hearing as June 14, 2023.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Council President Anthony	X			
Councilman Clemmensens	X			
Councilman Downey	X			
Councilman Perry	X			
Councilwoman Richman			X	
Councilman Zakin	X			

- **R-51-2023 - Approve Settlement Agreement of The Matter Captioned in The Matter of the Application of The Borough of Sea Girt, Docket No. Mon- L-2312-2020**

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

WHEREAS, the Borough was the subject of a Mount Laurel exclusionary zoning suit filed in the Superior Court of New Jersey entitled 501 Washington Blvd, LLC, 503 Washington Blvd., LLC, Sea Girt Fifth Avenue LLC, Sitco Sea Girt, LLC v. Borough of Sea Girt, Borough Council of Sea Girt, and Sea Girt Planning Board, (the plaintiffs shall be collectively referred to as the “Developer”), Docket No. MON-L-000102-20, seeking to compel the Borough to provide a realistic opportunity for the construction of housing affordable to low and moderate-income households and their fair share of the housing region’s need for such housing, (the “Builder’s Remedy Action”); and

WHEREAS, the Borough instituted a declaratory judgment action entitled In the Matter of the Application of the Borough of Sea Girt, Superior Court of New Jersey, Law Division-Monmouth County, Docket No. L-2312-2020 (the “Mt. Laurel Litigation) wherein the Borough sought a declaration as to its affordable housing obligation and the opportunity to develop a plan to meet its constitutional obligation to provide for its fair share of affordable housing so as to prevent additional builder’s remedy lawsuits; and

WHEREAS, the Borough and the Borough Planning Board entered into a Settlement Agreement with the Developer in the Builder’s Remedy Action and the Court approved the Settlement Agreement after conducting a Fairness Hearing on June 3, 2021 finding it fair, reasonable and adequately protecting the interests of very low, low and moderate-income households in the region; and

WHEREAS, the Fair Share Housing Center (“FSHC”) has been recognized by the Supreme Court in Mt. Laurel IV as an interested party that may participate as a matter of right in all cases filed by municipalities seeking a declaration as to their affordable housing obligation, including the Borough of Sea Girt; and

WHEREAS, to avoid the large expense and risk of trial as to fair share methodology and the proposed compliance mechanisms required to meet the Borough’s fair share obligation, the Borough and FSHC has reached a settlement to resolve the Mt. Laurel Litigation and they wish to memorialize the terms in the form of a Settlement Agreement; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to resolve the Mt. Laurel Litigation with Fair Share Housing Center to satisfy its constitutional obligation to provide for its fair share of affordable housing from 1987-2025 and to obtain immunity from builder’s remedy litigation through July 1, 2025.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Sea Girt, in the County of Monmouth and State of New Jersey, that it hereby approves the Settlement Agreement in the Mt. Laurel Litigation, and it hereby authorizes the mayor to execute the Settlement Agreement in a form acceptable to the Borough Attorney and the Borough’s Special Affordable Housing Counsel.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Council President Anthony	X			
Councilman Clemmensen	X			
Councilman Downey	X			
Councilman Perry	X			
Councilwoman Richman			X	
Councilman Zakin	x			

- **R-52-2023: Award Improvements to Fifth Avenue in the Borough of Sea Girt – Fernandes Construction**

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

WHEREAS, Leon S. Avakian, Inc. advertised for bidders for Improvements to Fifth Avenue in The Borough of Sea Girt on March 23, 2023, with the receipt of bids scheduled for April 6, 2023; and,

BIDDER	BASE BID
Fernandes Construction, Inc., Monroe NJ	\$270,548.31
Fiore Paving Company, Oceanport, NJ	\$284,433.26
Earle Paving Company, Farmingdale, NJ	\$287,313.13
Meco, Inc., Clarksburg, NJ	\$295,297.00
Black Rock Enterprises, LLC, Old Bridge, NJ	\$306,778.00
L&L Paving Company, Inc., Farmingdale, NJ	\$316,215.00

and,

WHEREAS, the bid documents were reviewed and references checked for Fernandes Construction, Inc., 25 Stonegate Drive, Monroe, NJ 08831 and found to be in compliance with the Bid Specifications and the Local Public Contracts Law, *N.J.S.A.* 40A:11-1, et seq.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt that the bid of Fernandes Construction, Inc. and the same is hereby accepted at the bid price of \$270,548.31.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk be and they are hereby authorized to execute the documents pursuant to the Bid Specifications.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Council President Anthony	X			
Councilman Clemmensen	X			
Councilman Downey	X			
Councilman Perry	X			
Councilwoman Richman			X	
Councilman Zakin	X			

- **R-53-2023: Appoint John Brown – Full Time Laborer for DPW**

UPON MOTION of Councilman Downey, seconded by Council President Anthony, 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 full-time laborer to fill a vacancy within the Department; and,

WHEREAS, the Manager of the Department has reviewed the applications and references of qualified candidates, and recommends the appointment of John Brown to the position.

NOW, THEREFORE, BE IT RESOLVED that the appointment of John Brown as full-time laborer for the Department of Public Works of the Borough of Sea Girt, at the hourly rate of \$21.03 per hour for 40 hours per week, be and the same is hereby approved effective May 1, 2023.

BE IT RESOLVED that pursuant to the provisions of the Collective Bargaining Agreement now in effect between the Borough and Teamsters Local No. 97, Mr. Brown shall be considered an introductory employee for a twelve-month period from the date of original appointment.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Council President Anthony	X			
Councilman Clemmensen	X			
Councilman Downey	X			
Councilman Perry	X			
Councilwoman Richman			X	
Councilman Zakin	X			

• **R-54-2023: Appoint Thomas Strohschein – Full Time Laborer for DPW**

UPON MOTION of Councilman Clemmensen, seconded by Councilman Downey, 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 full-time laborer to fill a vacancy within the Department; and,

WHEREAS, the Manager of the Department has reviewed the applications and references of qualified candidates, and recommends the appointment of Thomas Strohschein to the position.

NOW, THEREFORE, BE IT RESOLVED that the appointment of John Brown as full-time laborer for the Department of Public Works of the Borough of Sea Girt, at the hourly rate of \$21.03 per hour for 40 hours per week, be and the same is hereby approved effective May 8, 2023.

BE IT RESOLVED that pursuant to the provisions of the Collective Bargaining Agreement now in effect between the Borough and Teamsters Local No. 97, Mr. Strohschein shall be considered an introductory employee for a twelve-month period from the date of original appointment.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Council President Anthony	X			
Councilman Clemmensen	X			
Councilman Downey	X			
Councilman Perry	X			
Councilwoman Richman			X	
Councilman Zakin	X			

• **R-55-2023: Authorize the Execution of an Interlocal Services Agreement with The Borough of Spring Lake Heights for Fire Prevention Bureau Services**

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

WHEREAS, the Boroughs of Sea Girt and Spring Lake Heights are desirous of entering into an agreement pursuant to the provisions of N.J.S.A. 40:SA-1 et seq. to provide for Fire Prevention Bureau services;

NOW, THERE BE IT RESOLVED by the Borough Council of the Borough of Sea Girt, in the County of Monmouth, State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute an Interlocal Services Agreement with the Borough of Sea Girt for Fire Prevention Bureau Services for the Borough of Spring Lake Heights commencing on May 1, 2023 for an annual cost of \$14,500.00.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Council President Anthony	X			
Councilman Clemmensen	X			
Councilman Downey	X			
Councilman Perry	X			
Councilwoman Richman			X	
Councilman Zakin	X			

- **R-56-2023: Authorize Amendment to Agreement between The County of Monmouth and The Borough of Sea Girt for The Establishment of a Cooperative Means of Conducting Certain Community Development Activities**

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

WHEREAS, certain Federal funds are potentially available to Monmouth County under Title I of the Housing and Community Development Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, it is necessary to establish a legal basis for the County and its residents to benefit from this program; and

WHEREAS, a Revised Amendment Cooperation Agreement has been adopted under which the Sea Girt Borough and the County of Monmouth in cooperation with other municipalities will establish an Interlocal Services Program pursuant to N.J.S.A. 40:8B-1; and

WHEREAS, it is in the best interest of the «Municipality» to enter into such the revised amendment cooperation agreement.

NOW, THEREFORE, BE IT RESOLVED by the «Municipality» Council of the «Municipality», that the Revised Amendment Agreement between the County of Monmouth and Certain Municipalities located herein for the establishment of a Cooperative Means of Conducting certain Community Development Activities, a copy of which is attached, thereto, be and same is hereby approved.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk be and same are hereby authorized to execute said agreement in accordance with the provisions of law; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its enactment.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Council President Anthony	X			
Councilman Clemmensen	X			
Councilman Downey	X			
Councilman Perry	X			
Councilwoman Richman			X	
Councilman Zakin	X			

- **R-57-2023: Authorize Agreement between Capture Point and The Borough of Sea Girt for Community Pass Membership**

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

BE IT RESOLVED by the Mayor and Council of the Borough of Sea Girt that, Administrator Gant be and is hereby authorized to sign the CapturePoint Services Agreement effective April 1, 2023 to provide Community Pass Membership; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to Mary Coyle, 141 Dayton Street, Ridgewood, NJ 07450 for her information and the Chief Financial Officer for her action.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Council President Anthony	X			
Councilman Clemmensen	X			
Councilman Downey	X			
Councilman Perry	X			
Councilwoman Richman			X	
Councilman Zakin	x			

- **R-58-2023: Authorize Cooperative Pricing System Agreement County of Union Cooperative Pricing System**

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

WHEREAS, N.J.S.A. 40A:11-1 et. Seq. authorizes contracting units to enter into Cooperative Pricing Agreements; and,

WHEREAS, the County of Union hereinafter referred to as “the Lead Agency” as offered voluntary participation in a renewal participation in a Cooperative Pricing System for the purchase of work, materials and supplies; and,

WHEREAS, the Borough of Sea Girt in the County Monmouth desires to participate in the Union County Cooperative Pricing System Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Sea Girt AUTHORIZES The borough of Sea girt to participate in the Union County Cooperating Pricing Agreement and execute a Cooperating Pricing Agreement with the County of Union upon its approval by the Division of Local Government Services; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, the County of Union as Lead Agency is expected to comply with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. Seq. and all the provisions of the revised statutes of the State of New Jersey).

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Council President Anthony	X			
Councilman Clemmensen	X			
Councilman Downey	X			
Councilman Perry	X			
Councilwoman Richman			X	
Councilman Zakin	x			

- **R-59-2023:** Set 2023 Salaries

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

SECTION 1. The following officers and employment designations are hereby confirmed and the rate of compensation of each officer and non-union employee of the Borough of Sea Girt, whose compensation shall be on an annual or hourly basis, is not to exceed:

	SALARY
MAYOR: Don Fetzer	\$4,500.00
COUNCIL MEMBERS: Mark Clemmensen, Maria Richman, Diane Anthony, Bryan Perry, Tom Downey, Alan Zakin	\$3,500.00
PLANNING/ZONING BOARD SECRETARY: Karen Brisben	\$3,500
BUSINESS ADMINISTRATOR: James Gant	Contractual
UTILITY COLLECTOR: Brooke Koegel	\$24,689.69
MUNICIPAL CLERK: Dawn Harriman	\$75,119.69
DEPUTY BOROUGH CLERK/REGISTRAR: Vacant	N/A
SECRETARY/RECEPTIONIST: Vacant	N/A
OTHER HOURLY EMPLOYEES' BOROUGH HALL:	\$11.00 -\$30.00 per hour
JANITOR:	Not to exceed \$17.50 per hour
ASST. FINANCE OFFICER: Megan Thompson	\$61,500
ASST. FINANCE CLERK: Richard Lyster	\$44,861.69
TAX COLLECTOR: Karen S. Brisben	\$23.58 per hour not to exceed \$15,000.00
DEPUTY TAX COLLECTOR: Brooke Koegel	\$24,689.69
TAX ASSESSOR: Scott Kineavy	Shared Services- Aberdeen Twp.
PART-TIME CLERK, ASSESSOR'S OFFICE: Vacant	N/A
LIBRARIAN: Lisa Luke	Set by Board of Trustees
ASSISTANT LIBRARIAN: JoAnne Johnson	Set by Board of Trustees
CHILDREN'S LIBRARIAN: Patty Peterson	Set by Board of Trustees
LIBRARY ASSISTANT: Barbara Buckley	Set by Board of Trustees
FIRE PREVENTION OFFICER: Christopher Willms	\$10,716.38
ZONING/ CODE ENF. OFFICER: Christopher Willms	\$75,560.95
FIRE OFFICIAL, PART-TIME: Michael Hines	Set by Brielle Shared Service Agreement
RECREATION DIRECTOR- Part-Time: VACANT	N/A
OEM COORDINATOR: Tim Harmon	\$4,943.20
OEM COORDINATOR Hazard Pay (not to exceed \$5,000)	\$5,000.00

DIR. OF BEACHFRONT OPERATIONS AND SPECIAL PROJECTS: Tim Harmon	\$75,645
PUBLIC WORKS MANAGER: Michael McArthur	\$117,664.92
PUBLIC WORKS ASSISTANT MANAGER: Trevor Palmer	\$102,234.22
RECYCLING COORDINATOR: Trevor Palmer	\$2,000
PUBLIC WORKS ASSISTANT: Joseph Amberg	\$18.45 per hour
PART-TIME PUBLIC WORKS LABORER:	Up to \$25.00 per hour
PART-TIME PUBLIC WORKS LABORER: William Holt	\$21.70 per hour
CLERK/TYPIST DPW: Tara Vermillion	\$43,937.13
CHIEF OF POLICE: Justin Macko	Contractual
CAPTAIN, SEA GIRT POLIC DEPARTMENT: Vacant	N/A
SPECIAL OFFICER, CLASS I, 1 st Year: Jacob Gold, Kenneth Malloy, Teresa Yeager, Cory Sutton, Mary Russomanno, Kevin Kile, Dayana Gonzalez Sanchez, Cole Duhigg, Kevin Budge, John Christ	\$15.00
SPECIAL OFFICER, CLASS I, 2 nd Year: Justin Skelly	\$15.50
SPECIAL OFFICER, CLASS I, 3 rd Year: Thomas Murtha	\$16.00
SPECIAL OFFICER, CLASS I, 4 th Year:	\$16.50
SPECIAL OFFICER, CLASS I, 5 th Year	\$17.00
SPECIAL OFFICER, CLASS I, 6 th Year	\$17.50
SPECIAL OFFICER, CLASS II, 1 ST Year: Ethan Vargas, James Obenauer, James McGee, Antonino DiGregorio, John Traynor, Allison Ruane, John Kelly, Jacob Glantzman	\$17.00
SPECIAL OFFICER, CLASS II, 2 nd Year: James Belknap, Kristina Stevens, David Galarza	\$17.50
SPECIAL OFFICER, CLASS II, 3 rd Year:	\$18.00
SPECIAL OFFICER, CLASS II, 4 th Year	\$18.50
SPECIAL OFFICER – CLASS II – 5 th Year:	\$20.00 per hour
SPECIAL OFFICER – CLASS II – 6 th Year and above:	\$21.00 per hour
POLICE RECORDS OFFICER/CONFIDENTIAL ASST.: Jennifer Fary	\$45,254.78
POLICE MATRON (on-call): Grace DeBoer, Sandra Bolchune, Dawn Sherman	\$20.00 per hour
SCHOOL CROSSING GUARD (5 th year and above): Sandra Bolchune ; Grace DeBoer; Dawn Sherman; Carol Hanley	\$19.67 per hour
DRUNK DRIVING ENFORCEMENT OFFICER	\$70.00 per hour
MUNICIPAL COURT JUDGE: Paul Capotorto	\$20,000.00 (Thru 2025)

SECTION 2. Other appointees may be employed as designated and the following compensation is hereby authorized:
Municipal Court Judge: Paul Capotorto and Municipal Prosecutor: James Carton (per DUI court session), \$350.00

SECTION 3. The salaries and hourly wages as specified in Section 1 and Section 2 hereof shall be effective retroactively to January 1, 2023 or date of appointment, whichever is later, and shall continue in effect until further action is authorized.

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Council President Anthony	X			
Councilman Clemmensen	X			
Councilman Downey	X			
Councilman Perry	X			
Councilwoman Richman			X	
Councilman Zakin	x			

- **R-60-2023: Authorize 2023 Temporary Capital Budget**

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

WHEREAS, the 2023 Capital Budget of the Borough of Sea Girt has not been adopted as of April 26, 2023, and

WHEREAS, it is desired to adopt said 2023 Temporary Capital Budget relative to the rehabilitation of Crescent Park and Bell Place tennis courts.

NOW THEREFORE, be it resolved by the Borough Council of Sea Girt of the County of Monmouth, that the following adoption of the 2023 Capital Budget be made:

**TEMPORARY CAPITAL BUDGET OF THE BOROUGH OF SEA GIRT
2023**

<u>Project Title</u>	<u>Estimated Total Cost</u>	<u>CIF</u>	<u>Debt Authorized</u>
Rehabilitation of Crescent Park and Bell Place Tennis Courts	<u>\$ 100,000.00</u>	<u>100,000.00</u>	<u> </u>
Total All Projects	<u>\$ 100,000.00</u>	<u>100,000.00</u>	<u> </u>

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Council President Anthony	X			
Councilman Clemmensen	X			
Councilman Downey	X			
Councilman Perry	X			
Councilwoman Richman			X	
Councilman Zakin	x			

6. COUNCIL REPORTS

Councilman Clemmensen reported bulk pickup is May 8th. He encourages all residents to consider wearing bike helmets.

Councilman Downey thanked Mr. Gant for his efforts on the employee salary resolution. A replacement for Janeen Yodakis is underway; he thanked Charlie Hill for his service of twenty-two years; DPW has two new hires starting in May. Chicago Boulevard Sanitary Sewer Improvements Phase I is complete.

Councilman Perry reported the Finance Committee have been working diligently on the 2023 budget; the plan is to introduce the budget on May 10th. He thanked Janeen Yodakis for her dedication and service to Sea Girt Recreation; Motors on Main is on May 7th and Big Band Sentimental Journey is playing on June 21st. Please visit the website for all upcoming events and details.

Councilman Zakin had no report.

Council President Anthony reported on Buildings and Grounds; Jim Gant commented The Borough is looking into other options to upgrade the Borough Hall fire safety matters; the borough had approved a bond ordinance in the amount of \$600,000.00 for important upgrades. Jim Gant also reported that there have been workers from Off Shore Winds within the borough and he expressed to them the need to communicate with Administration when they have work scheduled in order to better coordinate with borough officials and be able to share information with residents. Councilman Zakin applauds the mayor and professionals for being vigilant and clear on expectations regarding Off Shore Wind Energy. She also cautioned everyone to be aware of ticks and their hazards.

Mayor Fetzer reported the labor negotiations committee met with the Department of Public Works on their salary negotiations contract and will met again next month. The library is moving towards the creation of a capital plan and it is suggested to meet with the Borough to discuss parameters and to synchronize the plan. The Fire Department will have their annual smoke house drill at the Monmouth County Fire Academy. The Parker House replaced their doors which is a major improvement from a fire department perspective.

7. ADMINISTRATIVE REPORT

Jim Gant reported The Fifth Avenue Improvements project will begin soon; efforts are being made to avoid summer traffic issues while paving Fifth Avenue from Beacon Boulevard to Washington Boulevard. Tennis courts will be resurfaced soon, temperatures need to be consistently above 70 degrees for a certain crack repair bond to be applied. Monmouth County Parks announced grant opportunities which we could apply for to address our Monument Park area at The Plaza. Mr. Gant suggested to council the hiring of a 5G Consultant to protect the interest of the borough from a professional standpoint who understands lease agreements and public contracts law. He thanked Janeen Yodakis for her efforts and her impact on recreation. The purchase of a recent mini excavator has been put to good use for difficult digging holes to plant trees on Carriage Way.

8. R-62-2023: PAYMENT OF BILLS

BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth that the bills to be paid as appearing on the attached bill lists dated March 15, 2023; March 24, 2023; April 5, 2023; and April 21, 2023 in the totals as follows:

Beach Operating	\$	41,144.67
Board of Rec Trust	\$	8,315.44
Current Fund	\$	549,427.20
Dog License Trust	\$	8.40
General Capital	\$	182,562.91
Police Dept Escrow	\$	80.00
Trust Other	\$	22,730.10
Unemployment Comp Trust	\$	4,320.58

Water Capital	\$	63,553.98
Water Operating	\$	107,081.09

Recorded Vote:

	AYES	NAYS	ABSENT	ABSTAIN
Council President Anthony	X			
Councilman Clemmensen	X			
Councilman Downey	X			
Councilman Perry	X			
Councilwoman Richman			X	
Councilman Zakin	X			

9. PUBLIC PARTICIPATION ON ANY SUBJECT

Bob Ferguson, Philadelphia Boulevard commented he was approached by a VFW member inquiring into a Memorial Monument for Service Men and Woman killed in action from Sea Girt; discussions continued that possibly the grant which the borough plans to apply for could be used for this type of project.

Tom Crawley, Captain of the Manasquan First Aid Squad voiced his concerns with Belmar EMS Shared Services.

Tom Schnurr, Beacon Boulevard questioned the fiscal and operation perspective of EMS Services.

There being no further comments, and by consensus, the public hearing was closed at 8:57 pm. Mayor Fetzer 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 Council President Anthony, seconded by Councilman Perry, carried, that the following **Resolution No. 63-2023** 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: Sea Girt Police matter and litigation.
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
Council President Anthony	X			
Councilman Clemmensen	X			
Councilman Downey	X			

Councilman Perry	X			
Councilwoman Richman			X	
Councilman Zakin	X			

The Council returned to public session at 10:15 PM. There being no further business, and **UPON MOTION** of Council President Anthony, seconded by Councilman Clemmensen, carried, that the meeting be finally and immediately adjourned at 10:17 PM.

Dawn Harriman

Dawn Harriman, RMC
Municipal Clerk