

MINUTES
Regular/Virtual
June 14, 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, June 14, 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. PRESENTATION:

- Council President Anthony presented Robert and Kathy Kregg a Certificate of Appreciation for their outstanding efforts displaying symbols of Patriotism and Pride for Our Country throughout the Borough since 2001. Mr. Kregg thanked council for their recognition and asked the Borough to maintain what Sea Girt has been to him for the past 73 years.
- Mike Miexsell presented his quarterly SMRSA Report for the period October 2022 – September 2023 (attached to minutes).
- 2023 Budget Presentation: Jim Gant and Amy Spera – the budget presentation can be found on our website: www.seagirtboro.com. Questions and answers were received from the public on the budget presentation.

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

- **R-74-2023: Approve Special Event Application – Sgt Nutter Run**

WHEREAS, the Borough of Sea Girt Borough Council supports the goal of the Sgt. Samuel Nutter Organization to provide aid and assistance to military families; and,

WHEREAS, the applicant has submitted the Certificate of Insurance naming the Borough of Sea Girt as an additional insured with coverage provided at the limits required by the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that the Sgt. Samuel Nutter Organization request to hold the annual Sgt. Nutter Run within the Borough of Sea Girt and at the National Guard Training Center on June 17, 2023 from 9:00 AM to 3:00 PM.

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

- **R-75-2023: Authorize Mayor to Execute SMRSA Agreement Amendment #5**

BE IT RESOLVED by the Mayor and Council of the Borough of Sea Girt that, Mayor Don Fetzer be and his hereby authorized to execute the South Monmouth Regional Sewerage Agreement Addendum #5.

BE IT RESOLOVED that this agreement amends Section 2.06 to Calculation and Certification of Annual Payments to reflect how the annual flow year calculation (Oct 1 – Sept 30) has performed, as well as amend Section 3.08 Duration of Contract thereby, extending the current Service Agreement contract(s) to March 31, 2054.

- **R-76-2023: Approve Additional/Removal of Beach Staff**

WHEREAS, the Beach Manager has advised that there are changes to staff for the 2023 season as noted below; and,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that the following changes to beach staff is and the same are hereby approved:

Add Additional Staff Member(s): Thomas McLaughlin, Isabella Bird, Mia Metkov, Jake Petillo, Nick Daccurso, Anthony Daccurso, Brendan Pollack, Liam McCahill, Emma Rogers, Joseph Hopkin, Sofiya Mudryk, Michael Bracero, Elle Kumpf, Danielle Cullen, Dan Cullen, Chris McNamara, Luci Hedden, Teag Saito - \$13/hr.

Remove: Chris Dailey, Cooper Paritz, Kathryn Sheehan - Gateguards

- **R-77-2023: Approve Recreation Volleyball Staff**

WHEREAS, the Borough of Sea Girt is in need of the services an instructors for the Recreation Volleyball Program.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Sea Girt that the following appointments be approved at the hourly rates shown below for no more than 3.0 hours per session for 12 sessions for instruction for the volleyball programs:

Camp Director: Libby Killeen at the rate of \$35.00 per hour;

Volleyball Instructor: Catrina Peterson, and Brandon Davicsin at the rate of \$30/per hour; **Jr.**

Instructor: Andrew Davicsin at the rate of \$25 per hour;

Assistant Coaches: Jackie D’Altrui, Bridget Rigney and Medline Rigney at the rate of \$50 per hour/for 2.5-hour sessions;

Volunteer Instructor: Mark Leddy

- **R-78-2023: Approve Summer Recreation Staff**

WHEREAS, the Borough Administrator has appointed various persons to fill seasonal staff positions for the Summer Recreation Program (June 26 through July 28, 2023, inclusive) as permitted by the Borough Code; and,

WHEREAS, the Borough Council wishes to memorialize these seasonal appointments.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that the appointment of following persons to seasonal positions within the Borough at the hourly rate for hours worked or salary for the 2023 be and the same is hereby memorialized:

Molly Reid	\$13.00	Madeline Arherhold	\$13.00
Ryan O’Keefe	\$13.00	Arianna Zilioli	\$13.00
Samantha Price	\$13.00	James Vercelli	\$13.00
Tanner Griffin	\$13.00	Sylvia Ross	\$13.00
Kaylin Forrester	\$13.00	Sophia Evans	\$13.00
Maria Striano	\$13.00	Ember Augustine	\$16.50
Bernadette McGullam	\$19.80	Maggie Sullivan	\$16.50
Caitilyn McGullam	\$16.50	Kate Springer	\$13.00
Kathyrn Sheehan	\$13.00	Deirdre Keenan	\$13.00
Jennifer Timpone	\$16.50	Delia Gilmore	\$13.00
Ava Matina	\$13.00	Greg Hillman	per contract

- **R-79-2023: Approve Lifeguard Staff**

WHEREAS, the Beach Utility is in need of lifeguard staff to fill the positions necessary to operate the Borough Beach during the 2023 season; and,

WHEREAS, the Lifeguard Chief has recommended the persons named on the attached listing for employment with the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that the following persons are hereby appointed as seasonal staff members to be employed as Lifeguards at the season or hourly rates listed for the 2023 beach season:

2023 Sea Girt Beach Department Roster & Hourly Wages – per Attached Schedule (attached to minutes)

- **R-80-2023: Approve New Jersey State Firemen’s Association Application for Membership: Alexander Branch and Daniel Lalli**

WHEREAS, the individual’s designated below has submitted applications for membership in the Sea Girt Fire Company; and

WHEREAS, the applicant has completed the required application procedures and have been approved for membership by the Fire Company.

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

1. The following Fire Company membership is hereby approved:

Daniel Lalli – Regular Member
Alexander Branch– Regular Member

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			

4. APPROVE MINUTES:

- **R-80-2023: Approve Regular Meeting Minutes of May 10, 2023**

UPON MOTION of Councilman Zakin, seconded by Councilman Clemmensen, carried, that the Minutes of the Virtual Regular Meeting held May 10, 2023 be and the same are hereby approved.

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. OPEN DISCUSSION:

- Councilman Clemmensen thanked the borough staff, volunteers and residents for their efforts with the Memorial Day Parade; the event was very well received. He also wished a Happy 248th Birthday to the to the US Army.
- Council President Anthony thanked Mr. Richard Venino for donating a beautiful 90-year-old Japanese Red Maple Tree from his parent’s property and is planted now at the east side of the bike path across from Fratello’s Restaurant. She also thanked the Sea Girt Holly Club for their beautiful planters throughout town. There is a new landscape bed across from the school at Sea Girt Station Park thanks to the combined efforts of DPW, Sea Girt Conservancy and The Sea Girt Elementary School Environmental Club. On June 20th the Sea Girt Conservancy hosted guest speaker R.J. Curcio, Ecologist and Environmental Specialist from the Monmouth County Parks System. There will be additional tree planting at Edgemere Park with funding from the Sea Girt Conservancy; she also thanked the Shade Tree Commission for their participation in recommending the selection of evergreen and dogwood trees. The Seagirt Conservancy was the recipient of a \$500 grant from the New Jersey Audubon Society to be used toward birdhouses in Edgemere and Crescent Parks. The Sea Girt Conservancy will be hosting their 3rd Annual Summer Soirée Fundraiser on July 8th details on www.seagirtconservancy.org.

6. UNFINISHED BUSINESS:

The mayor to advise that the Budget was advertised by summary in The Coast Star on May 18, 2023, available on the Borough’s website on the same date and that the public hearing was held as scheduled on June 14, 2023.

- **R-82-2023: Budget Read by Title**

UPON MOTION of Council President Anthony, seconded by Councilman Clemmensen, carried, that the following resolution be adopted:

WHEREAS, the 2023 approved budget of the Borough of Sea Girt, as advertised, has been posted in the Municipal Building at least one week prior to the date of this hearing, and

WHEREAS, a copy of the same has been made available to each person requesting it during said week and during the public hearing.

THEREFORE, BE IT RESOLVED, that having conformed to the conditions set forth in *N.J.S.A.40A:4-8*. The 2023 budget be read by its title.

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-83-2023: Certification – Budget Available for Review**

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

NOW, THEREFORE, BE IT RESOLVED that I, Dawn Harriman, Clerk of the Borough of Sea Girt, do hereby certify that the 2023 Approved Budget of the Borough of Sea Girt has been available for public review in the Municipal Office since May 11, 2023 and available on the Borough of Sea Girt website, www.seagirtboro.com, since May 12, 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			

- **R-84-2023: Adopt 2023 Municipal Budget**

UPON MOTION of Council President Anthony, seconded by Councilman Clemmensen, carried, that the meeting be opened to the public for comments on the said resolution only.

Tom Schnurr, Beacon Boulevard questioned the library financial resourcing from the county. Mr. Gant responded to his question.

There were no further comments from the public and **UPON MOTION** of Councilman Clemmensen, seconded by Councilwoman Richman, carried, the public hearing was closed.

UPON MOTION of Councilman Downey, seconded by Councilman Perry, carried, that the following resolution be adopted:

BE IT RESOLVED by the Borough Council of the Borough of Sea Girt, County of Monmouth, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$8,499,301.52 for municipal purposes.

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. Ordinance No. 03-2023: Public Hearing /Adoption

The mayor to read the said Ordinance by Title, advising of its publication in its entirety in The Coast Star on May 4, 2023.

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 Downey, seconded by Councilman Clemmensen, carried, that the meeting be opened to the public for comments on the said resolution only. There were no comments from the public and **UPON MOTION** of Councilman Clemmensen, seconded by Councilman Perry, carried, the public hearing was closed.

UPON MOTION of Councilman Perry, seconded by Councilwoman Richman, carried, that the said Ordinance No. 03-2023 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			

B. Ordinance No. 04-2023: Public Hearing/Adoption

The mayor to read the said Ordinance by Title, advising of its publication in its entirety in The Coast Star on May 4, 2023.

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 Council President Anthony, seconded by Councilman Clemmensen, carried, that the meeting be opened to the public for comments on the said resolution only. There were no comments from the public and **UPON MOTION** of Councilman Clemmensen, seconded by Councilman Zakin carried, the public hearing was closed.

UPON MOTION of Councilman Perry, seconded by Councilwoman Richman, carried, that the said Ordinance No. 04-2023 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			

C. Ordinance No. 05-2023: Public Hearing/Adoption

The mayor to read the said Ordinance by Title, advising of its publication in its entirety in The Coast Star on May 4, 2023.

**CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
 APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)
 IN THE BOROUGH OF SEA GIRT, MONMOUTH COUNTY, NEW JERSEY**

WHEREAS, the Local Government Cap Law, *N.J.S.A.* 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, *N.J.S.A.* 40A:4:45-15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Sea Girt in the County of Monmouth finds it advisable and necessary to increase its CY2023 budget by up to 3.5% over the previous year’s final appropriations in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$56,961.10 in excess of the increase in final appropriations otherwise permitted by the local Government Cap Law is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Sea Girt, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that in the CY2023 budget year, the final appropriations of the Borough of Sea Girt shall, in accordance with this Ordinance and *N.J.S.A.* 40A:4-45.14, be increased by 3.5%, amounting to \$199,363.85 and that the CY2023 municipal budget for Borough of Sea Girt be approved and adopted in accordance with this Ordinance.

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final year budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

BE IT FURTHER ORDAINED that a certified copy of this Ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction.

BE IT FURTHER ORDAINED that a certified copy of the Ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within five (5) days after such adopted.

UPON MOTION of Councilman Perry, seconded by Councilman Clemmensen, carried, that the said Ordinance No. 05-2023 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			

- **R-86-2023: Professional Appointment, H2M Municipal Water and Sewer Engineer**

Borough Attorney Bogan recommended the Water and Sewer Committee be authorized to approve the final terms of the contract which have minor outstanding items which were unable to be finalized prior to this meeting.

UPON MOTION of Councilwoman Richman, seconded by Councilman Clemmensen, carried, that the following Resolution is subject to approval of the contract by the Water and Sewer Committee be and the same is hereby adopted:

WHEREAS, the Borough of Sea Girt has a need to acquire services for a Water-Sewer Utility Engineer, as a non-fair and open contract pursuant to the provisions of *N.J.S.A.* 19:44A-20.4 or 20.5; and,

WHEREAS, the Borough Clerk has determined and certified in writing that the value of the services to be provided will exceed \$17,500.00; and,

WHEREAS, the anticipated term of this contract is effective retroactively to January 1, 2023 through December 31, 2023, inclusive, and may be extended as many times as approved by this governing body; and,

WHEREAS, the firm H2M Associates, Inc., submitted a proposal indicating they will provide said services and have provided a Business Entity Disclosure Certification which certifies that members of the firm have not made any reportable contribution to a political or candidate committee in the Borough of Sea Girt in the previous one year, and that the contract will prohibit each entity from making any reportable contribution throughout the term of the contract; and

WHEREAS, with regards to Affirmative Action, incorporated into such agreement shall be the mandatory language of Section 5.3 of the regulations promulgated by the Treasurer of the State of New Jersey pursuant to P.L. 1975, and

WHEREAS, funds are available for this purpose in the 2023 temporary budget and provision will be made in the 2023 and succeeding years' budgets of the Borough as finally adopted, and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Sea Girt hereby authorizes the Mayor and Clerk to execute a contract with the professional as described herein.

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certificate and the Determination of Value be placed on file with this resolution and,

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published in The Coast Star as required by law within ten (10) days of its passage.

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-87-2023 - Authorize the Hiring of a Telecommunications Consultant for The Borough of Sea Girt Wireless Communications Facilities Leasing and Siting and Capability Management through the Competitive Contracting Process**

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

WHEREAS, the Borough of Sea Girt has endeavored to responsibly plan and implement future wireless facilities deployment, including 5G communications within the Borough; and

WHEREAS, there is a need for professional consulting on future siting, potential leasing of public property and other related broadband communications matters; and

WHEREAS, the New Jersey Local Publics Contract Law demands for a public procurement when an aggregate cost of a commodity exceeds the bid threshold; and

WHEREAS, the consultant, acting under the color of the Borough, will receive in excess of the aggregate bid threshold from carriers during the lifetime of the contract; and

WHEREAS, such services are authorized under the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-4.1(m)) to be procured through the competitive contracting process; and

WHEREAS, the Borough desires to evaluate such service offerings from vendors within the procedures as set forth in the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-4.1 et. seq. and N.J.A.C. 5:34-4 et. Seq.); and

WHEREAS, the Borough desires to enter into a contract for up to a five (5) year contract that will satisfy the needs of the Borough; and

WHEREAS, as per statute the process will be administered by the Business Administrator, Qualified Purchasing Agent or Counsel (N.J.S.A 40A:11-4.5(d)).

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 Business Administrator in conjunction with the Qualified Purchasing Agent Legal Counsel are hereby authorized to commence the competitive contract/ procurement as allowable under the New Jersey Local Publics Contract Law for a telecommunications consultant, allowing for a minimum of 20 days' notice after advertisement to receive responses, per Local Publics Contract 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			

7. NEW BUSINESS:

- **BOND ORDINANCE No. 06-2023:** The Mayor to read the said Ordinance by Title:

CAPITAL ORDINANCE PROVIDING FOR VARIOUS WATER AND SEWER UTILITY IMPROVEMENTS, BY AND IN THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING THE AGGREGATE AMOUNT OF \$284,740 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND (\$100,000) AND FROM GRANT PROCEEDS RECEIVED PURSUANT TO THE FEDERAL AMERICAN RESCUE PLAN (\$184,740) TO PAY FOR TO PAY FOR THE COST THEREOF

WHEREAS, the Borough of Sea Girt, in the County of Monmouth, State of New Jersey (the “Borough”), wishes to undertake various water and sewer utility improvements in the Borough; and

WHEREAS, the cost of said improvements or purposes is estimated to be \$284,740; and

WHEREAS, the Borough desires to authorize the appropriation and expenditure in the aggregate amount of \$284,740 (\$100,000 from the Capital Improvement Fund of the Borough and \$184,700 from proceeds received pursuant to the Federal American Rescue Plan) to undertake various water and sewer utility improvements in the Borough including, but not limited to, water and sewer (Phase II) infrastructure improvements on Chicago Boulevard (\$214,740) and the acquisition of a water utility truck (\$70,000).

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (a majority of the full membership thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The capital improvement or purpose described below is hereby authorized as a water and sewer utility improvement to be undertaken by the Borough. For the said improvement or purpose, there is hereby appropriated the aggregate amount of \$284,740 (\$100,000 from the Capital Improvement Fund of the Borough and \$184,700 from proceeds received pursuant to the Federal American Rescue Plan) to undertake various water and sewer utility improvements in the Borough including, but not limited to, water and sewer (Phase II) infrastructure improvements on Chicago Boulevard (\$214,740) and the acquisition of a water utility truck (\$70,000). All such improvements shall include, as applicable, surveying, engineering and design work, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

SECTION 2. The expenditure in the aggregate amount of \$284,740 (\$100,000 from the Capital Improvement Fund of the Borough and \$184,700 from proceeds received pursuant to the Federal American Rescue Plan) for the improvements or purposes set forth in Section 1 hereof is hereby authorized and approved. The Mayor, the Clerk, the Chief Financial Officer and any other official/officer of the

Borough are each hereby authorized and directed to execute, deliver and perform any agreement to undertake the improvement or purpose set forth herein and to effectuate the transaction contemplated hereby. All expenditures for such improvement or purpose shall comply with the Local Public Contracts Law N.J.S.A. 40A:11-1, et. seq.

SECTION 3. The capital budget of the Borough is hereby amended to conform with the provisions of this capital 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, New Jersey Department of Community Affairs is on file in the Office of the Clerk and is available for public inspection.

SECTION 4. This ordinance shall take effect immediately after final adoption

UPON MOTION of Councilman Downey, seconded by Councilman Clemmensen, carried, that the said Ordinance No. 06-2023 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 July 12, 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			

- **BOND ORDINANCE No. 07-2023:** The Mayor to read the said Ordinance by Title:

BOND ORDINANCE PROVIDING FOR VARIOUS 2023 CAPITAL IMPROVEMENTS BY AND IN THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$607,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$577,125 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST 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 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 \$607,500, which sum includes \$30,375 as the aggregate amount of down payments 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”). Said down payments are now available therefor by virtue of appropriations in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$607,500 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$577,125 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 a principal amount not exceeding

\$577,125 are hereby authorized to be issued pursuant to and within the limitations prescribed by the 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, the following:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) <u>Public Works Department</u> – Acquisition And Installation, As Applicable, Of Equipment Including, But Not Limited To, A Kubota Tractor, A Roll-Off Truck, And Various Miscellaneous Equipment;	\$406,000	\$385,700	\$20,400	10.00 years
(ii) <u>Police Department</u> – Acquisition, And Installation, As Applicable, Of Various Equipment Including, But Not Limited To, Automated External Defibrillators, Computer Hardware And Software And Camera Equipment, And A Non-Passenger Patrol Vehicle;	\$116,500	\$110,675	\$5,825	5.00 years
(iii) <u>Fire Department</u> – Acquisition, And Installation, As Applicable, Of Various Equipment Including, But Not Limited To, Radios, Hoses And Turn-Out Gear; And	\$45,000	\$42,750	\$2,250	7.00 years
(iv) <u>Borough Offices</u> – Technology Improvements And Acquisition And Installation, As Applicable, Of Various Equipment Including, But Not Limited To, Radio Improvements For Office Of Emergency Management; Record Management Improvements Including, But Not Limited To, Digitization Of Records And Associated Computer Hardware, Software, And Other Equipment; And Various Miscellaneous Office Equipment As Deemed Necessary By The Borough.	\$40,000	\$38,000	\$2,000	7.00 years
TOTALS	<u>\$607,500</u>	<u>\$577,125</u>	<u>\$30,375</u>	

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said purposes is \$577,125.

(d) The estimated cost of said improvement or purpose is \$607,500, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the amount of \$30,375, is the down payment for said improvement or purpose.

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. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

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 unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. 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 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 the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at 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, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Capital Budget or Budgets of the Borough are hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget or Budgets and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or 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 improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 8.62 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, New Jersey Department of Community Affairs, 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 \$577,125 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$60,750 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore 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 bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the bonds or notes 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 ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the mayor, as provided by the Local Bond Law.

UPON MOTION of Councilwoman Anthony, seconded by Councilwoman Richman, carried, that the said Ordinance No. 07-2023 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 July 12, 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			

- **R-85-2023** - Authorizing Change Order and Supplemental Agreement 1 to MSP Construction Corporation, Flemington, NJ for The Project Known as Chicago Boulevard Sanitary Sewer Improvements – Phase 1

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

WHEREAS, the Borough of Sea Girt awarded a contract in the amount of \$102,115.00 to MSP Construction, Flemington, NJ for the Project known as Chicago Boulevard Sanitary Sewer Improvements – Phase 1; and,

WHEREAS, Engineer’s Certificate No. 2 includes Change Order and Supplemental Agreement No. 1 which increased the contract in the amount of \$8,260.25 to the project; resulting in the new contract total of \$110,375.25; and,

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

1. That Change Order and Supplemental Agreement No. 1 representing a net increase to the contract of \$8,260.25 to a new contract total of \$110,375.25 be and the same is hereby approved;
2. Payment in the amount of \$31,900.81 be and the same is hereby approved.

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			

- **ABC License Renewals: Detective Sherman completed all annual inspections required by the State and all met compliance.**

1. **R-88-2023: Emerald Shore, Inc. t/a Harrigan’s Pub, Plenary Retail Consumption License #1344-33-001-004, July 1, 2023 through June 30, 2024 inclusive**

WHEREAS, an application for renewal of Plenary Retail Consumption License #1344-33-001-004 has been submitted by Emerald Shore, Inc. t/a Harrigan’s Pub to the State of New Jersey, Alcohol Beverage Control Commission with the required State fee of \$200; and,

WHEREAS, the applicant has remitted the required Municipal fee of \$2,500.00 to the Borough of Sea Girt; and,

WHEREAS, the Tax Clearance Certificate has been issued by the State of New Jersey; and,

NOW, THEREFOE BE IT RESOLVED that the Plenary Retail Consumption License #1344-33-001-004, issued to Emerald Shore, Inc. t/a Harrigan’s Pub for the premises located at 703 Baltimore Boulevard, Sea Girt, New Jersey be and the same is hereby approved for renewal for the period July 1, 2023 to June 30, 2024, inclusive.

UPON MOTION of Councilman Downey, seconded by Councilman Clemmensen, carried, that the meeting be opened to the public for comments on the said resolution only. There were no comments from the public and **UPON MOTION** of Councilman Clemmensen, seconded by Councilman Perry, carried, the public hearing was closed.

UPON MOTION of Councilwoman Richman, seconded by Council President Anthony, carried, that the above Resolution be and the same hereby adopted:

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			

2. R-89-2023 – Chefs International, Sea Girt LLC, Plenary Retail Consumption License #1344-33-002-006, July 1, 2023 through June 30, 2024, inclusive

WHEREAS, an application for renewal of Plenary Retail Consumption License #1344-33-002-006 has been submitted by Rods Olde Irish Ale House, Inc. to the State of New Jersey, Alcohol Beverage Control Commission with the required State fee of \$200; and,

WHEREAS, the applicant has remitted the required Municipal fee of \$2,500.00 to the Borough of Sea Girt; and,

WHEREAS, the Tax Clearance Certificate has been issued by the State of New Jersey; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Sea Girt that the Plenary Retail Consumption License #1344-33-002-005, issued to Rods Olde Irish Ale House, Inc. for the premises located at 507 Washington Blvd., Sea Girt, New Jersey be and the same is hereby approved for renewal for the period July 1, 2023 to June 30, 2024, inclusive, subject to the following **SPECIAL CONDITIONS** that were consented to by the Licensee before the Sea Girt Borough Planning Board by the license holder, and are deemed necessary and proper to secure compliance by the license holder with the provisions of the Alcoholic Beverage Control Act, State Regulations that have been adopted by the Division of Alcoholic Beverage Control and Ordinances adopted by the Borough governing the sale of Alcoholic Beverages:

SPECIAL CONDITIONS on the license:

- a. the Restaurant shall operate in accordance with the following restrictions / limitations / conditions:
 - The maximum number of patrons at the expanded facility shall not exceed 259 persons at any one time (unless the Borough’s Fire Marshall or other appropriate representatives establish a lower capacity (in conjunction with Prevailing Building / Construction / Fire / Occupancy Standards).
 - There shall be no live music / entertainment / DJ / band / amplified music, or other sound amplification on or in the open air / outside deck / outside dining areas approved herein.
 - Notwithstanding anything contained herein to the contrary, the Applicant’s representatives shall comply with all Prevailing Noise

Ordinances / Regulations, as established by the Borough of Sea Girt, the County of Monmouth, the State of New Jersey, the United States of America, and / or any other Agency having jurisdiction over the matter.

- There shall be no live music, band, entertainers, entertainment, amplified music in the outside dining areas. Rather, in the outside dining areas, there shall only be background ambient music consistent with the high-end casual dining experience.
 - No portion of the 2nd floor of the Restaurant shall be utilized by patrons or accessed by patrons. Rather, the 2nd floor of the Restaurant is limited to office use / support staff use / storage.
 - When any type of live music / live entertainment / bands / DJs (and other similar performers / performances) are performing in the interior portion of the Restaurant, the sliding / folding glass doors (located between the outside dining area and the inside dining area) shall be totally closed (to further prevent / minimize the nature / extent of any noise emanating from the site).
 - There shall always be a manager on duty (on site) while the Restaurant is open to the public, who can manage / direct operations, and who can facilitate / trouble-shoot / correct / cure / address any open / pressing problems / concerns, particularly vis-a-vis the quality-of-life concerns of the nearby residential uses.
 - Per Prevailing Borough Ordinance, the Restaurant shall close no later than 12:00 midnight.
- b. The Applicant’s representatives shall comply with all Prevailing Municipal Regulations regarding hours of operation.
- c. The Applicant shall comply with all Prevailing ADA Requirements.
- d. The Applicant shall, in conjunction with appropriate Borough Ordinances, pay all appropriate / required fees and taxes.

UPON MOTION of Councilman Perry, seconded by Councilman Zakin, carried, that the meeting be opened to the public for comments on the said resolution only. There were no comments from the public and **UPON MOTION** of Councilman Clemmensen, seconded by Councilman Perry, carried, the public hearing was closed.

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

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			

3. R-90-2023: CG Jersey, Inc. t/a Fratello’s, Plenary Retail Distribution License #1344-33-003-013-, July 1, 2023 through June 30, 2024, inclusive

WHEREAS, an application for renewal of Plenary Retail Consumption License #1344-33-003-014 has been submitted by CG Jersey, Inc. t/a Fratello’s to the State of New Jersey, Alcohol Beverage Control Commission with the required State fee of \$200; and,

WHEREAS, the Applicant has also remitted the required Municipal fee of \$2,500; and,

WHEREAS, the Tax Clearance Certificate has been issued by the State of New Jersey; and,

NOW, THEREFORE BE IT RESOLVED that the Plenary Retail Consumption License #1344-33-003-014, issued to CG Jersey, Inc. t/a Fratello’s for the premises located at 810 The Plaza, Sea Girt, New Jersey be and the same is hereby approved for renewal for the period July 1, 2023 to June 30, 2024, inclusive.

UPON MOTION of Councilman Zakin, seconded by Councilman Perry, carried, that the meeting be opened to the public for comments on the said resolution only. Dr. Harvey Richman, Boston Boulevard commented on the use of the corporate entity license titles. There were no further comments from the public and **UPON MOTION** of Councilman Clemmensen, seconded by Councilman Downey, carried, the public hearing was closed.

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

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			

4. R-91-2023: Avon Hotel Corporation t/a The Parker House, Seasonal Plenary Retail Consumption License #1344-34-006-004, July 1, 2023 through June 30, 2024, respectively

WHEREAS, the **AVON HOTEL CORPORATION**, holder of Seasonal Retail Consumption License No. **1344-34-006-004**, has applied to the **BOROUGH OF SEA GIRT** to renew the license for the term of July 1, 2023 through June 30, 2024, inclusive; and,

WHEREAS, the **AVON HOTEL CORPORATION (also called the license holder in this Resolution)** has paid the required Borough fee of \$1,875.00, submitted the required State fee of \$200.00 and received a Tax Clearance Certificate from the New Jersey Division of taxation for license renewal; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Sea Girt that this license is hereby renewed for the term beginning July 1, 2023 through June 30, 2024 inclusive, subject to the following **SPECIAL CONDITIONS** that have been consented to by the license holder and are deemed necessary and proper to secure compliance by the license holder with the provisions of the Alcoholic Beverage Control Act, State Regulations that have been adopted by the Division of Alcoholic Beverage Control and Ordinances adopted by the Borough governing the sale of Alcoholic Beverages:

SPECIAL CONDITIONS on the license:

1. The sale or service of alcoholic beverages to patrons in the area designated as the “back porch” by the Sea Girt Bureau of Fire Prevention shall cease at eleven- thirty (11:30 PM). All alcoholic beverage containers shall be cleared from the bar and the tables on the “back porch” immediately after eleven-thirty (11:30) PM.
2. The license holder shall not permit overcrowding in or upon the licensed premises. Occupancy within the licensed premise shall not exceed the maximum permitted occupancy levels set by the Borough of Sea Girt’s Bureau of Fire Prevention. Those levels are 334 standing persons in the Main Floor Bar Area when there is no floor space occupied by tables and chairs; 141 standing persons on the Back Porch when there is no floor space occupied by tables and chairs; 517 standing persons in the Ground floor Bar when there is no floor space occupied by tables and chairs and; 208 persons in the restaurant.
3. The license holder shall not violate any provision of the Alcoholic Beverage Control Act and shall comply with all regulations adopted by the Division of Alcoholic Beverage Control.
4. The license holder shall not violate any ordinance adopted by the Borough of Sea Girt pertaining to the sale, service and delivery of alcoholic beverages by persons licensed by the Borough to do so.
5. The license holder shall not sell, serve or deliver or allow, permit or suffer the sale, service or delivery of any alcoholic beverage, directly or indirectly, to any person actually or apparently intoxicated, or permit or suffer the consumption of any alcoholic beverage by any such person in or upon the licensed premises. A violation of this condition may result in revocation of the license.
6. The license holder shall operate its business in an orderly and lawful fashion, so as not to constitute a nuisance. The license holder is responsible for the conduct of employees and patrons, if such conduct is contrary to the public health, safety and welfare. A violation of this condition may result in revocation of the license.
7. The license holder shall require all employees who sell and/or serve alcoholic beverages to be trained in the techniques of alcohol management by the New Jersey Licensed Beverage Association, with emphasis on identifying apparently intoxicated patrons and refusing to serve alcoholic beverages to such patrons.
8. As modified in 2018 by the Director of the Division of Alcohol Beverage Control and consented to by the parties, CCTV recorders shall be placed in various locations throughout the licensed premises where alcoholic beverages are sold/served to video all areas of ingress to and egress from the premises. Such locations shall be approved by the Borough Police Department and shall record the activities of patrons within the premises when it is open for business. Those recordings shall be maintained for at least thirty (30) days and made available to the Police as requested.
9. The license holder shall remove trash within a four-block radius of the licensed premises immediately after closing at night and prior to opening for the day.
10. The license holder shall post a security employee among the persons waiting to enter to reduce passing identification documents from one patron to another. The license holder shall post crowd control security employees on the exterior of the licensed premises on Fridays, Saturdays and holiday Sundays from 9:00 PM until all patrons have left the premises, so as to ensure that patrons leave the premises in an orderly fashion. The licensee shall require all employees including security employees to wear shirts clearly identifying them as “Parker House Staff”.

11. Patrons waiting outside the premises for admission shall be required by the license holder to wait in a single line, quietly and in an orderly fashion and shall not encroach on private property not owned by The Avon Hotel Corporation.
12. The license holder shall maintain plexiglass covers installed over the windows on the west side of the lower level of the licensed premises.
13. The license holder shall maintain a plexiglass, double-door enclosure system installed at the west side, lower-level entry.
14. License Holder shall comply with the Borough noise ordinance, Borough Code Section 3.1.

UPON MOTION of Councilman Zakin, seconded by Councilman Perry, carried, that the meeting be opened to the public for comments on the said resolution only. Tom Schnurr, Beacon Boulevard commended Mayor Fetzer, Council Members, Chief Macko and his officers for their efforts effectively managing The Parker House. There were no further comments from the public and **UPON MOTION** of Councilman Clemmensen, seconded by Councilman Downey, carried, the public hearing was closed.

UPON MOTION of Councilwoman Richman, seconded by Councilman Clemmensen, carried, that the above Resolution be and the same is hereby adopted:

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. R-92-2023: Jo-Yo, LLC t/a Egan’s Sea Girt Wine and Liquors, Plenary Retail Distribution License #1344-44-005-007, July 1, 2023 through June 30, 2024, inclusive

WHEREAS, an application for renewal of Plenary Retail Distribution License #1344-44-005-007 has been submitted by JO YO, LLC t/a Egan’s Sea Girt Wines and Liquors to the State of New Jersey, Alcohol Beverage Control Commission with the required State fee of \$200; and,

WHEREAS, the applicant has remitted the required Municipal fee of \$1,288.94 to the Borough of Sea Girt; and,

WHEREAS, the Tax Clearance Certificate has been issued by the State of New Jersey; and,

NOW, THEREFOE BE IT RESOLVED that the Plenary Retail Consumption License #1344-44-004-007, issued to JO YO, LLC t/a Egan’s Sea Girt Wines and Liquors, for the premises located at 527 Washington Boulevard, Sea Girt, New Jersey be and the same is hereby approved for renewal for the period July 1, 2023 through June 30, 2024, inclusive.

UPON MOTION of Councilman Zakin, seconded by Councilman Perry, carried, that the meeting be opened to the public for comments on the said resolution only. There were no comments from the public and **UPON MOTION** of Councilman Clemmensen, seconded by Councilman Downey, carried, the public hearing was closed.

UPON MOTION of Councilwoman Richman, seconded by Councilman Clemmensen, carried, that the above Resolution be and the same is hereby adopted:

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			

8. COUNCIL REPORTS – Councilman Clemmensen and Council President Anthony had no report.

Councilwoman Richman reported the beach season started well, but low daily badge sales; lifeguards completed yearly certifications; first year lifeguards are attending the Monmouth County Regional Lifeguard Academy; Sea Girt’s Rescue Water Craft along with our lifeguards assisted in the search of the off duty drowning victim in Avon; Jr. Guard and Surf School Program are almost full, please visit our website for details. BOE - last day of elementary school in June 20th.

Councilman Downey reported it’s a busy season for personnel; compliments to the administration for their efforts; DPW is replacing two positions with new hires. Water/Sewer – no report.

Councilman Perry commended Jim Gant, Amy Spera and Auditor, Rich Hellenbrecht for their efforts with the 2023 budget. He further reported interviews are ongoing for the Recreation Director position and hopes to conclude this week. Crescent Park resurfacing should be complete this week, which have been delayed due to the weather; Bell Place resurfacing will follow with the completion of Crescent Park. Sail shades have been installed at Baltimore Park and some patch work repairs will be completed in the next few days; a ribbon cutting ceremony will take place when project is complete. Sea Girt Summer Recreation starts June 26th. Sentimental Journey is scheduled for June 21st between 7-8 pm at the Plaza.

Councilman Zakin encourages residents to view the library calendar for summer events on our website; there is a Beatles concert on June 22nd also at The Plaza; the Annual Wine and Cheese Fundraiser is August 26th.

Mayor Fetzer reported the Fire Company responded to 7 calls over the Memorial Day weekend; 41 calls year to date. Tonight, is the Monmouth County Fire Academy Graduation – congratulations to Dan Lalli and Alexander Branch. Fire Chief’s car is having light issues which is being addressed. Two upcoming concerts at the library - Sentimental Journey is scheduled for June 21st between 7-8 pm at the Plaza and the Beatles concert on June 22nd.

9. ADMINISTRATIVE REPORT

Jim Gant thanked council for passing the budget; he also thanked the Finance Committee for their efforts with the 2023 budget.

Police Chief Macko congratulated Patrolman Randy Maccanico on earning his EMT Certification which included 367 hours of training; he is the first EMT in the history of the Police Department; June 9th our officers took part in the Annual Law Enforcement Torch Run for Special Olympics. Department meeting was May 21st at the NGTC.

10. R-93-2023: 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 May 24, 2023 and June 9, 2023 in the totals as follows:

Beach Operating	\$	11,787.31
Board of Rec Trust	\$	14,157.72
Current Fund	\$	505,563.01
Dog License Trust	\$	3.60
General Capital	\$	334,765.41
Trust Other	\$	854.00
Water Capital	\$	31,900.81
Water Operating	\$	113,590.37

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			

11. PUBLIC PARTICIPATION ON ANY SUBJECT (Comments limited to 5 minutes)

Mary Schneiderman, Baltimore Boulevard commented she asked residents in her area (east of Rt. 71) if they felt more should be done to address the speeding issues; majority felt the speeding presents a danger to their family. She distributed copies of signatures she obtained from residents feeling neglected and ignored. They would like to see more police patrol presence and enforce the speed limit.

Diane Raver, Boston Boulevard thanked the mayor, council members and Mr. Gant for a great first year experience as President of The Holly Club. She supports FilmReadyNJ, which is a training and marketing program developed by the New Jersey Motion Picture and Television commission designed to provide municipalities and counties with the resources they need to attract the booming film industry.

Charles Gormally, New York Boulevard thanked council for their efforts on the 2023 budget; he asked council to consider a strategy to address the challenge with deer in our municipality.

There being no further business, and **UPON MOTION** of Council President Anthony, seconded by Councilman Perry, carried, that the meeting be finally and immediately adjourned at 8:45 PM.

Dawn Harriman

Dawn Harriman, RMC
Municipal Clerk