

Regular Meeting □ January 24, 2007 □ Wednesday Evening □ 7:30pm

**SEA GIRT BOROUGH COUNCIL
SEA GIRT ELEMENTARY SCHOOL
RT. #71 and BELL PLACE
SEA GIRT, NJ**

MINUTES

CALL TO ORDER

Mayor Ahern called the meeting to order at 7:30pm.

SALUTE OF THE FLAG

Mayor Ahern led the Council and public in the salute to the flag.

COMPLIANCE STATEMENT:

The Municipal Clerk read the following compliance statement: "In compliance with the "Open Public Meetings Act", Chapter 231, PL. 1975, Section 5, adequate notice has been given of this meeting by posting a Notice in a public place and by transmitting a Notice to two newspapers, Asbury Park Press and the Coast Star as required by law".

ROLL CALL: Mayor Ed Ahern, present, Council President Mark Clemmensen, present, Councilpersons, Ken Farrell, present, Fred E. Niemeyer, present, Raymond Bogan, present, Anne Morris, present, Don Fetzer, present.

CONSENT AGENDA

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

Councilman Farrell offered and moved the following Consent Agenda, Seconded, Councilman Niemeyer.

- A. Approve 1-3-2007, 1-10-2007, 1-24-2007 Minutes
- B. Authorize Memorandum of Agreement with Charles Jones, Inc, for Electronic Information Exchange – Taxes, Utilities
- C. Approve MS Coast to Coast Bike Run, May 19th & 20th 2007 (1st and Washington Blvd – North to South)
- D. R-32-2007 Resolution to Authorize Transfer of Funds
RESOLUTION R-32-2007

TRANSFER OF FUNDS

WHEREAS, N.J.S.A. 40A:4-58 permits the transfers of funds from appropriations with excess balances deemed necessary to fulfill the purpose of such appropriations to appropriations deemed insufficient to fulfill the purposes specified in the budget.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth, State of New Jersey that the following transfers in the 2006 budget appropriations be made:

CURRENT FUND

<u>FROM</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Administrative & Executive Salaries	100.101	3,000.00
<u>TO</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Administrative & Executive General	100.202	3,000.00

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer.

The foregoing Consent Agenda was approved by the following Roll Call Vote:
AYES: Farrell, Niemeyer, Bogan, Morris, Clemmensen, Fetzer
NAYS: None
ABSTAIN: None
ABSENT: None

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

Councilman Fetzer stated that in a past meeting Mr. Watson had inquired as to the status of the Borough’s Stormwater program. Councilman Fetzer stated that the borough is in compliance and that the Stormwater Ordinances would be adopted this year.

PUBLIC PARTICIPATION (comments limited to items on the agenda for 7 minutes, with additional comments, follow up comments and “other” subjects shall in turn be limited to 3 minutes)

Mayor Ahern opened the meeting to the public at 7:33pm. Being there were no members of the public wishing to speak, the Mayor closed the meeting to the public at 7:33pm.

OLD BUSINESS

CAFRA

Beach Dune Maintenance Update

Councilman Bogan stated that there is currently Notice of Violation issued on the beach and that the Borough Engineer and the Borough Attorney are addressing this issue with the DEP. Spring Lake also has violations and the Borough Engineer is working with them as well. Assemblyman Kean has offered to help with both situations. Also, there is a meeting scheduled next week with Dr. Stewart Farrell as a preliminary step in our design of dunes along the beach.

R-30-2007 Resolution Acceptance of CAFRA Fee

Councilman Bogan stated that this is a result of an agreement with CAFRA that provides for monetary consideration in the amount of \$30,000.00 and is to be used for beach access as per the settlement agreement. The \$30,000.00 will be used to enhance access to the beach as spearheaded by Councilman Niemeyer at the Brooklyn Blvd location as well as to purchase roll out boardwalks if funds should allow. Councilman Bogan offered and moved the following Resolution, Seconded, Council President Clemmensen.

RESOLUTION R-30-2007

RESOLUTION AUTHORIZING ACCEPTANCE OF CAFRA FEE

WHEREAS, the Borough of Sea Girt has been made a party to an agreement with the owners of

WHEREAS, this agreement is a condition of permit issuance between the property owner of Block, 9, Lot, 13 known as 629 Ocean Ave., Sea Girt, NJ and the New Jersey Department of Environmental Protection, under the Coastal Area Facility Review Act, and

WHEREAS, such agreement states that the Borough of Sea Girt shall receive \$30,000.00 to be used for the improvement to the coastal area of the Borough in a manner that shall provide for improved access to the borough's beaches, and

WHEREAS, this is conditionally agreeable to the borough for its citizen's, and the citizen's of the State of New Jersey, and

WHEREAS, the Borough of Sea Girt does find that acceptance of these monies shall be for the enhancement to the Brooklyn Blvd. access, purchase of roll out boardwalk or boardwalks, to the extent that these funds are being made available as determined by the Borough of Sea Girt to provide for the most vast use by the general and special populations that wish to visit the fine beaches of Sea Girt, and

WHEREAS, the Borough of Sea Girt has agreed to accept this money only after careful consideration, and without prejudice, and

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Sea Girt, shall accept this fee in the amount of \$30,000.00 for use to improve access to the borough's beaches in the following manner:

- a. Enhancement to the Brooklyn Blvd. Access Point.
- b. Purchase and installation of temporary roll-out boardwalk or boardwalks to the waters edge.

BE IT FURTHER RESOLVED, that the Borough of Sea Girt wishes to be included in any negotiations that become a part of permit approvals and that such notice shall be sent to the Office of the Clerk of the Borough of Sea Girt, PO Box 296, Sea Girt, NJ.

The foregoing Resolution was approved by the following Roll Call Vote:

AYES: Farrell, Niemeyer, Bogan, Morris, Clemmensen, Fetzer

NAYS: None

ABSTAIN: None

ABSENT: None

Washington Ave. Street Lighting Project – Update

Council President Clemmensen stated this project was started and included in the Capital Budget 4 or 5 years ago and that on January 18th, the borough received bids. Those bids received ranged in price from \$155,000.00 to \$239,400.00. The bids are currently being reviewed by the Borough Attorney and the Borough Engineer. The received bids would be over about of the Capital Bond, and Council President Clemmensen asked that the Clerk and the Attorney work to amend the Bond Ordinance to include an additional \$50,000. Council President Clemmensen offered and moved to have the Borough Clerk and the Borough Bond Council work to amend the current ordinance to include an additional \$50,000., Seconded, Councilman Niemeyer, the motion was approved by the following roll call vote:

AYES: Farrell, Niemeyer, Bogan, Morris, Clemmensen, Fetzer

NAYS: None

ABSTAIN: None

ABSENT: None

Interlocal Agreement – Construction Services

Councilman Farrell noted that the borough has been working to contract with neighboring municipalities for the purpose of providing a regionalized construction services department. That effort has resulted in our entering agreement with Spring Lake, Brielle and Spring Lake Heights for that purpose. The proposed budget for that department will be \$246,000 for the coming year. The Borough's contribution of which would be just over \$60,000.00. This will provide improved access, service and improved inspections of building projects within Sea Girt. The past three years that department in Sea Girt generated \$57,400 in 2004, \$72,000 in 2005 and \$75,000 in 2006. Part of the agreement requires that the Borough increase it's fees to the same level as Brielle's which will result in an overall increase in fee's of 5%, in comparison, if the Borough were to adopt the State's fees they are 25% higher then the fees that we currently charge. Councilman Farrell offered and moved the following resolution, Seconded, Councilwoman Morris.

RESOLUTION R-31-2007

RESOLUTION – AGREEING TO THE CONCEPT OF A REGIONAL CONSTRUCTION OFFICE

WHEREAS, the Borough Administrator of the Borough of Spring Lake, New Jersey, initiated negotiations with other municipalities in the south-eastern section of Monmouth County concerning the possibility of forming a Regional Construction Office;

WHEREAS, the goal of the interlocal agreement is to enhance customer service to the Borough of Sea Girt's residents, by providing a full-time Construction Office in one location, with the costs equitably apportioned between the participating municipalities;

WHEREAS, the Regional Construction Office, as currently proposed would be located in Spring Lake Borough Hall and provide work areas for a full-time Administrative Coordinator, Construction Official, and various part-time Sub-Code Officials and Inspectors; and

WHEREAS, In order to enhance customer service, to improve the performance of the Construction Official and Sub-Code Officials and Inspectors, and to efficiency and equitably enforce all conditions of the Borough Code of the Borough of Sea Girt; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Girt that the Borough of Sea Girt officially endorses the concept of an inter-local agreement with the other participating Boroughs for the joint provision of a Construction Office and Construction Code Services; and

BE IT FURTHER RESOLVED, that the Borough of Spring Lake agrees to host the regional Construction Office in Spring Lake Borough Hall with the condition that the other participating municipalities share in the facility costs involved in hosting the Office;

BE IT FURTHER RESOLVED, that all costs associated with personnel, insurance, operating and capital expenses will be distributed amongst the participating municipalities in accordance with the cost-distribution formula established in the Inter-Local Agreement;

BE IT FURTHER RESOLVED, that the regional office will begin to be gradually implemented in January 2007, with the exception that the office will be staffed full-time in Spring Lake effective January 2, 2007;

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately and certified copies shall be provided to:

- a) Borough of Brielle
- b) Borough of Spring Lake

c) Borough of Spring Lake Heights

The foregoing Resolution was duly adopted by the following Roll Call Vote:

AYES: Farrell, Niemeyer, Bogan, Morris, Clemmensen, Fetzer

NAYS: None

ABSTAIN: None

ABSENT: None

NEW BUSINESS

Ordinance 2007-01 Ordinance to Provide Ranges for Salaries of Borough Employees:

First Reading

Mayor Ahern asked for the Clerk to read the Ordinance. The Clerk read the Ordinance by title and summarized its contents. She noted that this ordinance was being introduced with salary ranges in an attempt to save costs associated with multiple salary ordinances during the course of a year.

Councilman Farrell offered and moved the following Ordinance, Seconded, Councilwoman Morris.

ORDINANCE 2007-01

AN ORDINANCE TO PROVIDE RANGES FOR SALARIES AND COMPENSATIONS OF BOROUGH EMPLOYEES

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

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

	<u>SALARY RANGE</u>
MAYOR	4,500.00 - 6,000.00
COUNCIL MEMBERS	3,500.00 - 5,000.00
ADMINISTRATOR	50,000 – 108,000.00
BOROUGH CLERK	15,000.00 - 55,000.00
PURCHASING AGENT	4,000.00 - 10,000.00
UTILITY COLLECTOR	15,000.00- 55,000.00
DEPUTY MUNICIPAL CLERK	100.00 - 2,500.00
ASST OFFICE CLERK ADMIN	5,000.00 - 55,000.00
CHIEF FINANCIAL OFFICER	15,000.00 - 55,000.00
TREASURER	1,500.00 -12,500.00
DEPUTY TREASURER	1,000.00 – 2,500.00
TAX ASSESSOR	7,000.00 - 17,500.00
ASSESSMENT SEARCH OFFICER	1,000.00 - 5,000.00
TAX COLLECTOR	1,000.00 - 25,000.00
DEPUTY TAX COLLECTOR	1,000.00 – 2,500.00
TAX SEARCH OFFICER	2,000.00 - 10,000.00

MUNICIPAL COURT ADMINISTRATOR	25,000.00 - 55,000.00
ZONING OFFICER	45,000.00 - 70,000.00
PLANNING/ZONING BOARD SECRETARY	2,250.00 - 10,000.00
ARCHIVIST	1,000.00 - 3,500.00
RECREATION DIRECTOR	8,500.00 - 17,500.00
RECYCLING COORDINATOR	3,000.00 - 8,000.00
PUBLIC WORKS SUPERINTENDENT	80,000.00 - 115,000.00
PUBLIC WORKS ASST. SUPERINTENDENT	65,000.00 - 85,000.00
PUBLIC WORKS FOREMAN	55,000.00 - 75,000.00
PUBLIC WORKS MECHANIC	35,000.00 - 55,000.00
WATER TECHNICIAN	10,000.00 - 55,000.00
POLICE CHIEF	105,000.00 - 135,000.00
CAPTAIN	100,000.00 - 128,000.00
LIEUTENANT	95,000.00 - 123,000.00
SERGEANT	60,000.00 - 85,000.00
PATROL OFFICER 1 st - 4 th yr	42,000.00 - 97,000.00
PROBATIONARY PATROLMAN	33,000.00 - 38,000.00
SPECIAL POLICE – CLASS I per hour	10.00 - 20.00
SPECIAL POLICE – CLASS II per hour	12.00 - 15.00
DISPATCHER	22,000.00 - 45,000.00
POLICE RECORDS OFFICER	1,000.00 - 3,000.00
ASSISTANT RECORDS OFFICER	500.00 - 1,500.00
HOUSING INSPECTOR	1,500.00 - 6,500.00
FIRE PREVENTION OFFICER	1,500.00 - 5,000.00
WELFARE DIRECTOR	1,500.00 - 4,000.00
MUNICIPAL COURT JUDGE	15,000.00 - 35,000.00

SECTION 2. Part-time employees may be employed and the following compensation is hereby authorized:

MUNICIPAL COURT JUDGE (per DUI court session)	250.00 - 500.00
BOROUGH PROSECUTOR (per court session)	350.00 - 500.00
PUBLIC DEFENDER (per session)	250.00 - 500.00
BOROUGH ATTORNEY (an annual retainer)	15,000.00 - 45,000.00
DETECTIVE per annum	\$500.00

The following on an hourly basis:

MUNICIPAL COURT ADMINISTRATOR	15.00 -	25.00
RECREATION CAMP DIRECTOR	7.75 -	25.00
DEPUTY MUNICIPAL COURT CLERK	10.00 -	20.00
SECURITY GUARD	10.00 -	25.00
FIRE PREVENTION OFFICER	25.00 -	35.00
POLICE MATRON	8.50 -	25.00
POLICE THIRD PARTY DETAILS	45.00 -	60.00
SPECIAL POLICE CROSSING GUARD	10.00 -	25.00
SPECIAL POLICE ROAD DETAIL	35.00 -	60.00
SCHOOL CROSSING GUARD	7.50 -	25.00
CROSSING GUARD SPECIAL EVENTS	8.00 -	35.00
CODE ENFORCEMENT OFFICER	15.00 -	30.00
DRUNK DRIVING ENFORCEMENT OFFICER	35.00 -	65.00
LIBRARIAN	15.00 -	20.00
DOG/CAT CENSUS TAKER	8.00 -	25.00
CLERK/TYPIST	7.50 -	20.00
OFFICE CLERK	7.50 -	20.00
CLEAN COMMUNITIES LABORER	7.50 -	25.00
PUBLIC WORKS OTHER THEN MECHANIC	12.50 -	30.00
PART-TIME PUBLIC WORKS	7.50 -	25.00
PART-TIME TEMPORARY SEASONAL LABORER	7.15 -	25.00
GENERAL MAINTENANCE LABORER	7.15 -	30.00
OTHER HOURLY EMPLOYEES	7.15 -	30.00

SECTION 3. Employees with the exception of the Police Chief, Municipal Clerk and Public Works Supervisor, shall be compensated for overtime work at the rate of one and one-half times their regular hourly wage for time worked in excess of forty hours per week. Regular full-time office employees with the exception of the Borough Clerk, Tax Collector, Chief Financial Officer, and Utility Collector shall be compensated for hours worked in excess of 35 hours per week but less than 40 hours at their regular hourly rate.

SECTION 4. Full-time employees not covered under negotiated contract shall be paid for the following legal holidays:

NEW YEAR'S DAY
LINCOLN'S BIRTHDAY
PRESIDENT'S DAY
GOOD FRIDAY
MEMORIAL DAY
INDEPENDENCE DAY
LABOR DAY
COLUMBUS DAY
GENERAL ELECTION DAY
VETERAN'S DAY
THANKSGIVING DAY

DAY AFTER THANKSGIVING
CHRISTMAS DAY

SECTION 5. The Chief Financial Officer is hereby authorized to make payments for vacation in advance in accordance with the following procedure. The employee shall notify the Chief Financial Officer in writing at least one month prior to the time the vacation will commence. The vacation pay shall be paid to the employee on the last working day before the vacation period commences.

Second Reading and Public Hearing 2-14-2007

The foregoing Ordinance was approved for Advertisement, and Introduction by the following roll call vote:

AYES: Farrell, Niemeyer, Bogan, Morris, Clemmensen, Fetzer

NAYS: None

ABSTAIN: None

ABSENT: None

Committee Reports

Councilman Fetzer reported that the water system improvement project was underway with minor modifications being done to the project specifications by the borough's water systems operator, Fred Yoerg. The project should be authorized for bid at the first or second meeting in February. Councilman Fetzer also noted that the borough will be saving costs on its testing of the water this year as the DEP has reduced the amount of times a year the Borough will have to test its system. Council President Clemmensen read the police report and noted that Officer Joule has been successful in that he has successfully completed all requirements to graduate from the police academy. On January 11th, Sea Girt was one of six towns that attended a police regionalization meeting, and it was learned that they may hire a consulting firm to study the feasibility of consolidating police forces within the area. Council President Clemmensen asked that the Borough Attorney, Zoning Officer and Police Chief review Ordinance 54 which deals with Construction Site Regulations. Also, both Feb. 12th and Feb. 19th are state legal holidays. Councilwoman Morris stated that the boroughs sanitary water system has received satisfactory compliance rating on its last inspection. The library was inspected this past week by a licensed inspector and found to be in great shape. This inspection was being done prior to painting. There were two items that need attention, the flashing around the chimney and replacement or new windows for the building. Councilman Bogan noted that with regards to resolution R-30-2007 dealing with the CAFRA issue, the Borough would like to be included in any negotiations whereby the DEP is saying what we must do. With regards to the dunes, the Borough Attorney and the Borough Engineer have answered the DEP issue. But not with standing that, we will be meeting with Dr. Stewart Farrell this coming week with the intent of planning the creation of a dune system on the beach. Our hands are tied at the moment but we are meeting with Dr. Farrell to start the process. The Watershed Group meetings are conducting studies involving the Wreck Pond and Councilman Bogan would like to meet with the Wreck Pond watershed group to discuss those studies. The Watershed Group will be making

recommendations for filtration devices to be attached to storm basins that feed into Wreck Pond, those filtration devices and any necessary work to the stormwater system are expected to be paid by the Borough. Councilman Niemeyer stated that Brooklyn Blvd is expected to be paved in the spring of 2007 and one block on Fifth, New York Blvd will be paved in the fall and that today the Public Works Department discovered a blockage in the sanitary sewer line under New York as a result of the camera tests that the public works department conducts prior to any road job in the borough. This will be done in the immediate future. Councilman Niemeyer noted that the Borough is in receipt of two letters requesting street opening on Chicago Blvd. This street is currently under a moratorium and questions have arisen as to how to deal with these requests. The Mayor suggested that we gather more information and address at our next meeting. Councilman Farrell, gave the zoning report and spoke regarding the paddle tennis court. A league is being formed and the courts are getting a lot of use. Council President Clemmensen reported that the Borough's Prosecutor has accepted a judgeship in Belmar and the committee formed by the Mayor to find a new prosecutor has completed their search. The committee recommends James Carton IV. Mayor Ahern asked for a motion to appoint James Carton IV, Council President Clemmensen offered the motion, Seconded Councilman Niemeyer. The motion was approved by the following roll call vote:

AYES: Farrell, Niemeyer, Bogan, Morris, Clemmensen, Fetzer

NAYS: None

ABSTAIN: None

ABSENT: None

R-33-2006 Resolution to Pay Bills

Mayor Ahern asked for an amendment to the Bill list to include the 2006 contribution to the Community Drug Alliance in the amount of \$4400.00, Councilman Niemeyer offered the motion, seconded, Councilman Bogan. Approved by voice vote. Councilman Farrell offered and moved the Bill List, Seconded, Councilwoman Morris. The Bill List was approved as amended.

RESOLUTION R-33-2007

RESOLUTION TO PAY BILLS

RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt that bills be paid as appearing on the Bill List dated January 24, 2007 in total as follows:

CURRENT FUND	\$ 521,382.16
WATER FUND	\$ 85,772.16
BEACH OPERATING FUND	\$ 15,012.09
GRANT FUND	\$ 0.00
ANIMAL CONTROL FUND	\$ 0.00
TRUST FUND	\$ 4,727.25

GENERAL CAPITAL FUND	\$	7,461.12
WATER / SEWER CAPITAL FUND	\$	2,767.50
BEACH CAPITAL FUND	\$	0.00
RECREATION TRUST FUND	\$	0.00
UNEMPLOYMENT COMP. TRUST	\$	0.00

PUBLIC PARTICIPATION ON ANY SUBJECT

Mayor Ahern opened the meeting to public participation at 8:17pm. Joe Norcia, Beacon Blvd, requested that the meetings resolutions be posted on the web prior to the meeting. Councilman Niemeyer noted that that would not happen as often resolutions are being worked on the day of the meeting. Joe Norcia, complained of the speeding on Beacon Blvd and specifically questioned the number of traffic stops on that street and the number of tickets. Mayor Ahern noted that this past weekend he was sitting on his porch and noted that the police were doing a fine job and that he personally noted 8 to 10 traffic stops being made by the police. Being there were no other members of the public wishing to speak. The Mayor closed the meeting to the public at 8:22pm.

R-34-2006 Resolution for Executive Session

The Mayor asked the Clerk to read the resolution for executive session. The Clerk read the following resolution which was offered by Councilman Bogan, and Seconded, Councilman Fetzer.

**RESOLUTION R-34-2007
RESOLUTION TO ENTER EXECUTIVE SESSION**

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, PL 1975, 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 on January 24, 2007.

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 matters to be discussed is as follows:
 - A. Personnel
 - B. Contractual
 - C. Attorney Client Privilege
3. It is anticipated, at this time that the date on which the stated subject matters, A, B, C will be made public is unknown.

4. This Resolution shall take effect immediately.

The foregoing Resolution was approved by the following roll call vote:

AYES: Farrell, Niemeyer, Bogan, Morris, Clemmensen, Fetzer

NAYS: None

ABSTAIN: None

ABSENT: None

The Council recessed into executive session at 8:24pm.

The Council returned to open session at 8:45pm.

OTHER BUSINESS

Councilman Fetzer offered and moved to hire an Assistant Water Operator for the water system, seconded, Councilman Niemeyer. The motion was approved by voice vote and will memorialized at the next meeting.

ADJOURNMENT

Council President Clemmensen offered and moved to adjourn the meeting at 8:47pm. Seconded, Councilman Niemeyer. The motion was approved by voice vote and the meeting adjourned.

Lorene K. Wright, RMC
Municipal Clerk