

Regular Meeting ● December 12, 2007 ● Wednesday Evening ● 5:00pm

**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 in the flag salute.

COMPLIANCE STATEMENT:

The 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, absent, Council President Mark Clemmensen, present, Councilpersons, Ken Farrell, present, Fred E. Niemeyer, present, Raymond Bogan, present, Anne Morris, present, Don Fetzer, present.

The Clerk read the following Resolution

RESOLUTION R-173-2007

**BOROUGH OF SEA GIRT
COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

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 December 12, 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 – Administrator Interviews
 - B. Contractual – Water Plant Improvements
3. It is anticipated, at this time that the date on which the stated subject matters, A, B will be made public is unknown.
4. This Resolution shall take effect immediately.

Councilman Bogan offered and moved the foregoing Resolution, Seconded, Councilwoman Morris

The Council recessed into Executive session at 5:04pm.

The Council returned to Open Session at 7:30pm.

Mayor Ahern was present at the meeting at 7:30pm. And Reopened with the Flag Salute, Compliance Statement and Roll Call. All members were 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 Bogan.

- A. R-174-2007 Resolution Authorizing Charity Solicitation by Sea Girt Cub Scouts on Dec 15, 2007 – 8:00am – 2:00pm – Washington Blvd.
- B. R-175 -2007 Resolution Authorizing Placement of D.A.R.E. Clothing Donation Bin at Public Works Yard
- C. R-176-2007 PEOSHA Designated Persons Indoor Air Quality Person – Kevin Thompson
- D. R-176a-2007 Resolution Authorizing Redemption of Tax Sale Certificate #2004-1T – Bk 67, Lot 15, 503 Beacon Blvd.

The foregoing Consent Agenda was approved by the following Roll Call Vote:

AYES: Farrell, Bogan, Morris, Fetzer, Niemeyer

NAYS: None

ABSTAIN: None

APPROVE MINUTES

Council President Clemmensen offered and moved approving the Council Meeting Minutes 11-7-2007 , Seconded, Councilman Niemeyer. The motion to approve the minutes was approved by voice vote.

DONATION OF VEHICLE TO VETERANS HAVEN TRANSITIONAL HOUSING

Robert Sausflein of Veteran Haven Transitional Housing, an organization that helps homeless veterans, accepted the Lexus that had previously been declared surplus by the Council for use by the organization.

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

Council President Clemmensen congratulated the Manasquan High School Football Team, the Police Department and Elly Konsulis for the care package that was prepared and sent to his son in Iraq.

R-177-2007 Resolution of Gratitude to the Family of Fritz Mueller for their Holiday Display Ornaments.

Council President Clemmensen offered and moved the following Resolution, Seconded, Councilman Bogan.

RESOLUTION R-177-2007

**RESOLUTION TO FORMALLY ACKNOWLEDGE
MUELLER FAMILY DONATION**

WHEREAS, Mayor Elect Clemmensen would like to read into the record the following letter:

November 29, 2007

Linda C. Campbell
602 Holly Hill Dr.
Brielle, NJ 08730

Dear Linda,

The Mayor and Council of the Borough of Sea Girt, on behalf of our residents and our many holiday season visitors, wish to express their extreme gratitude for your families' recent unconditional donation.

Sugar plums dancing is what most people envision during this time of year, fortunately, here in Sea Girt we had a much more tangible image, which of course was your Dad's home decorated for the holidays. "Fritz Mueller's Christmas Display" had become a long standing tradition over the years, and conjured many memories for our residents and visitors that truly represented "Home for the Holidays".

Although, I was able to personally thank you during our telephone conversation of yesterday, I would like to say again that it is with sincere pleasure and gratitude that we accept your families' very generous donation of your fathers Christmas Deer Lawn Ornaments.

Sincerely,

Mark E. Clemmensen, LTC (Ret.) USA
Mayor-Elect
Borough of Sea Girt, NJ

MEC/lkw

NOW, THEREFORE BE IT RESOLVED, that the donation of Christmas decorations to the Borough is properly acknowledged.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

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 public participation. Joe Norcia, Beacon Blvd.

inquired as to item C on the Consent Agenda, what does PEOSHA stand for.

Councilman Niemeyer explained that it stands for Public Employees Occupation Safety Health Agency. Being there were no other members of the public wishing to speak, the Mayor closed the meeting to the public.

OLD BUSINESS

Mayor Ahern explained that any old business would be handled under Council Reports.

NEW BUSINESS

Council President Clemmensen offered and moved to approved the following Proclamation, Seconded, Councilman Niemeyer.

USGER Proclamation

PROCLAMATION

STATEMENT OF SUPPORT FOR THE GUARD AND RESERVE

We recognize the National Guard and Reserve as essential to the strength of our nation and the well-being of our communities.

In the highest American tradition, the patriotic men and women of the Guard and Reserve serve voluntarily in an honorable and vital profession. They train to respond to their community and their country in time of need. They deserve the support of every segment of our society.

If those volunteer forces are to continue to serve our nation, increased public understanding is required of the essential role of the Guard and Reserve in preserving our national security. Their members must have the cooperation of all American employers in encouraging employee participation in the Guard and Reserve.

Therefore, we join other employers in pledging that:

1. Employment will not be denied because of service in the Guard or Reserve.
2. Employee job and career opportunities will not be limited or reduced because of service in the Guard or Reserve.
3. Employees will be granted leaves of absence for military service in the Guard or Reserve, consistent with existing laws, without sacrifice of vacation, and
4. This agreement and its resultant policies will be made known throughout our organization.

The motion was approved by the following Roll Call vote:
AYES: Farrell, Niemeyer, Bogan, Clemmensen, Morris, Fetzer
NAYS: None
ABSTAIN: None
ABSENT: None

COUNCIL REPORTS

Water/Sewer
R-178-2007 Resolution Authoring Award Contract for Water Sewer Repair and Maintenance Contract
Councilman Fetzer offered and moved the following Resolution, Seconded, Councilman Niemeyer.

RESOLUTION R-178-2007

RESOLUTION TO AWARD CONTRACT TO LOWEST RESPONSIBLE BIDDER FOR WATER/SEWER MAINTENANCE AND REPAIR PROJECT

WHEREAS, bids were advertised, in accordance with specifications prepared by Leon S. Avakian, Inc. for the project known as Water/Sewer Maintenance and Repair Project, and

WHEREAS, said bids were received by the Borough of Sea Girt on November 8, 2007; and

WHEREAS, a total of two contractors submitted bids:

1. Mark Woszczak Mechanical Contractors, Inc. 1700 W. Atlantic Ave., Manasquan, NJ 08736
2. CRJ Contracting Corp. 1340 South Ave. Plainfield, NJ 07062

And,

WHEREAS, each bidder submitted two proposals - Alternate #1 was for all material supplied by the Borough and Alternate #2 was for material supplied by contractor, and

WHEREAS, the lowest apparent lowest responsible bidder is Mark Woszczak Mechanical Contractors, Inc. for Alternate Bid #2 in the amount of \$214,177.00, and

WHEREAS, each bid was reviewed by the Borough Engineer, and

WHEREAS, the Borough Engineer Peter R. Avakian has prepared a letter dated November 30, 2007 recommending the award of the bid to Mark Woszczak Mechanical Contractors, Inc. for alternate #2, and

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The bid for the contract for Water/Sewer Maintenance and Repair Contract is hereby accepted from . Mark Woszczak Mechanical Contractors, Inc. 1700 W. Atlantic Ave., Manasquan, NJ 08736 in the amount of \$214,177.00
2. A contract shall be awarded to . Mark Woszczak Mechanical Contractors, Inc. 1700 W. Atlantic Ave., Manasquan, NJ 08736 for the work titled Water/Sewer Maintenance and Repair, alternate bid #2 in accordance with the bid specifications as prepared by the Borough Engineer.
3. The awarding of the contract and the signing of the contract is subject to the Borough Attorney's approval.
4. Upon receipt of those approvals, the Mayor and Clerk are hereby authorized to enter into a contract with Mark Woszczak Mechanical Contractors, Inc. 1700 W. Atlantic Ave., Manasquan, NJ 08736 in accordance with Bid Specifications and Contract Forms titled Improvements to Brooklyn Blvd. in the Borough of Sea Girt, known as project SG07-11

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion Authorizing Bid for MXU's and Batteries

Councilman Fetzer offered and moved a motion to have Peter Avakian secure quotes for MXU's and Batteries, Seconded, Councilman Niemeyer. The motion was carried by voice vote.

R-179-2007 Resolution Authorizing Emergency Purchase over the Bid Threshold for Water Supplies from Water Works Supply Inc., Farmingdale, NJ \$3920.00

Councilman Fetzer offered and moved the following Resolution, Seconded, Councilman Niemeyer.

RESOLUTION R-179-2007

RESOLUTION TO AUTHORIZE EMERGENCY PURCHASE – BROOKLYN BLVD., WATER IMPROVEMENTS

WHEREAS, an emergency condition exists in the Water Utility of the Borough of Sea Girt, and

WHEREAS, this condition constitutes an emergency affecting the immediate health, safety and welfare of the public, and

WHEREAS, this emergency occurred on or about November 12, 2007, and

WHEREAS, the Superintendent of Public Works was contacted during work hours by Mark Woszczak Mechanical Contractors, Inc., who was in the midst of changing five fire hydrants on Brooklyn Blvd under the blanket bid project extension, and

WHEREAS, an unforeseen event had occurred requiring additional material in order to complete the job, and

WHEREAS, the situation was of an emergent nature that required immediate attention to ensure the health, safety and welfare of affected residents, and

WHEREAS, parts needed to be purchases instantly if water service was to be restored to the residents, and

WHEREAS, the purchase of these parts were made through Water Works Supply Corporation, Farmingdale, NJ as they were open and the parts were available immediately, and

WHEREAS, the purchase of these goods will place the total cost of goods secured from Water Works Supply Corporation over the public bid threshold, and

WHEREAS, the Borough has followed guidelines as outlined within the Borough's Purchasing Manual as approved by Council in September 2006, and further revised to incorporate Emergency Check List in Feb 2007, and

WHEREAS, it is necessary to invoke N.J.S.A. 40A:11-6 Local Public Contracts Law (emergency purchases and contracts) in order to obtain the immediate delivery of the materials, supplies or the performance of the service(s) described in the requisition submitted by the Department of Public Works. The estimated cost of furnishing the materials, supplies or services is not to exceed \$ 4000.00 . and

WHEREAS, it is requested that a purchase order be issued without public advertisement for bids, pursuant to the above cited statue, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Borough's Chief Financial Officer and the Borough Attorney.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

Finance

R-180-2007 Resolution Authorizing Transfers

Councilman Farrell offered and moved the following Resolution, Seconded, Councilman Bogan.

RESOLUTION R-180-2007

RESOLUTION AUTHORIZING TRANSFERS

GET FROM CHRIS BROWN

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

R-181-2007 Resolution Authorizing Purchase of Software Upgrade, Edmunds Associates, Inc. \$12,725.00 State Contract

Councilman Farrell offered and moved the following Resolution, Seconded, Councilman Fetzer.

RESOLUTION R-181-2007

**BOROUGH OF SEA GIRT
COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

**RESOLUTION AUTHORIZING PURCHASE OF SOFTWARE UPGRADE,
EDMUNDS ASSOCIATES, INC. \$12,725.00 STATE CONTRACT # A81201**

WHEREAS, the Borough of Sea Girt is in need of Accounting Software Upgrade from Edmunds and Associates, Inc. in accordance with the recommendations of the Chief Financial Officer and Finance Chair; and

WHEREAS, a proposal has been made to obtain an upgrade from Edmunds and Associates, Inc. through a purchase in the amount of \$12,750.00, and

WHEREAS, this software upgrade will provide for a more efficient and effective method of accounting, and is available through State Contract #A81201, and

WHEREAS, the Borough Council believes that said proposal is in the best interest of the citizens of the Borough of Sea Girt.

1. The Purchase Price according to State Contract is in total \$12,750.00 including appropriate training sessions.
2. The Borough of Sea Girt is hereby authorized to enter into a Purchase Agreement for said software upgrade in accordance with NJ State Contract #A81201 .
4. The within resolution and awarding of contract is subject to certification of availability of funds by Christine Brown, the Chief Financial Officer, for the Borough of Sea Girt.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

Revenue Collection Methods

Debit Cards, Credit Cards, ACH,

Councilman Farrell, Clerk Wright and Office Assistant Mayer met with representatives of Wachovia Bank to discuss electronic payments of taxes, utilities and municipal fees.

Councilman Farrell gathered consensus from Council to proceed with the concept and to explore the costs.

Animal Revenues

Discussion regarding the Borough's existing Ordinance regarding animal licensing. The Council concurs that the Ordinance should be enforced as written. Dogs and Cats require licenses in the Borough of Sea Girt.

Shade Tree

Green Community Shade Tree Grant – Discussion

The Borough has received a recent Grant Application called the Green Community Shade Tree Grant. After discussion among Council it was decided not to apply for this grant, as the Borough currently employees a prior tree service contractor as it's public works superintendent.

Public Works

R-182-2007 Resolution to Award New York Blvd Street Improvements

Councilman Niemeyer offered and moved the following Resolution, Seconded, Councilman Bogan.

RESOLUTION R-182-2007

BOROUGH OF SEA GIRT

COUNTY OF MONMOUTH

STATE OF NEW JERSEY

**RESOLUTION TO AWARD CONTRACT TO LOWEST RESPONSIBLE BIDDER FOR
IMPROVEMENTS TO NEW YORK BLVD.**

WHEREAS, bids were advertised, in accordance with specifications prepared by Leon S. Avakian, Inc. for the project known as Improvements to New York Blvd. and

WHEREAS, said bids were received by the Borough of Sea Girt on December 6, 2007; and

WHEREAS, a total of eighteen contractors submitted bids, and

WHEREAS, the following three lowest bidders submitted proposals

1. A Montone Construction, Inc.
PO BOX 760
Holmdel, NJ \$438,960.00
2. Fernandes Construction, In.
32 John Street
South River, NJ \$443,741.00
3. F & P Contractors, Inc.
659 Washington Ave.
South Amboy, NJ 08679 \$464,435.71

WHEREAS, the lowest apparent lowest responsible bidder is A. Montone Construction, Inc., P.O. Box 760, Holmdel, NJ 07731 in the amount of \$438,960.00, and

WHEREAS, each bid was reviewed by the Borough Engineer, and

WHEREAS, the Borough Engineer Peter R. Avakian has prepared a letter dated December 7, 2007 recommending the award of the bid to A. Montone Construction, Inc. PO Box 760, Holmdel, NJ 07731.

NOW, THEREFORE, BE IT RESOLVED as follows:

5. The bid for the contract for New York Blvd. Street Improvements is hereby accepted from A. Montone Construction, Inc. PO box 760 Holmdel, NJ 07731 in the amount of \$438,960.00
6. A contract shall be awarded to A. Montone Construction, Inc. PO box 760 Holmdel, NJ 07731 in accordance with the bid specifications as prepared by the Borough Engineer, known as SG06-08.
7. The awarding of the contract and the signing of the contract is subject to the Borough Attorney's and the NJ DOT approvals.
8. Upon receipt of those approvals, the Mayor and Clerk are hereby authorized to enter into a contract with A. Montone Construction, Inc. PO box 760 Holmdel, NJ 07731 in accordance with Bid Specifications and Contract Forms titled in the Borough of Sea Girt, known as project SG06-08

Fire Report

Councilman Niemeyer read the Fire Report as submitted by Chief Sidley.

Beach

Extension of Beach Dune Study

Councilman Bogan offered and moved to have Stu Farrell continue with the Dune Study that was paid for by the Beach and Dune Fund, however we will be deferring the monitoring of the Beach at this time.

The motion was approved by the following Roll Call Vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

Coastal Monmouth Study – Traffic Issues

Comments from Council

Councilman Bogan reported that Monmouth County Planning Board was in the process of doing a Coastal Monmouth Study and input is being sought for their report. The Police Department Traffic section will be submitting their recommendations.

Councilman Bogan will be in contact with the County.

Repairs and Related Beach Work

Councilman Bogan stated that there is a need by the Borough to perform repairs to the boardwalk and beach front and asked that the Council authorize a motion to have Peter Avakian make proper application for a special permit for evaluation and sand removal., Seconded, Councilman Niemeyer. The motion was approved by voice vote.

Police

Roll out of SWIFT 911

Council President Clemmensen asked the Police Chief to step forward and give the audience and press a status report on the SWIFT 911 system. Chief Sidely briefly explained that SWIFT 911 was an Emergency Notification System available to all residents of the Borough, that the system was voluntary and he briefly explained how it worked. There are more details on the Borough's Web Page.

R-184-2007 Resolution Authorizing Declaration of Surplus Property and Donation to Monsignor Donovan School a Charitable Organization

RESOLUTION R-183-2007

BOROUGH OF SEA GIRT COUNTY OF MONMOUTH STATE OF NEW JERSEY

RESOLUTION TO DECLARE CERTAIN MUNICIPAL EQUIPMENT AS SURPLUS AND AUTHORIZING THE DISPOSAL OF SUCH SURPLUS EQUIPMENT

WHEREAS, the Borough of Sea Girt is desirous of SALE OR
DISPOSITION OF PUBLIC PROPERTY as per [N.J.S.A. 40A:11-36], and

WHEREAS, the Borough of Sea Girt is no longer in need of the following items:

1. As listed on Attached Schedule.

NOW, THEREFORE BE IT RESOLVED, that the Borough's Police Chief is hereby authorized to coordinate disposal of the above items.

H. Personnel

1. **R- -2007 Resolution of Gratitude to William H. Burns as Borough Attorney**
- 2, **R- -2007 Proclamation of Gratitude to Edward H. Ahern for years of Service as Councilman and Mayor of the Borough of Sea Girt.**

11. **R--2007 Resolution to Pay Bills**
12. **PUBLIC PARTICIPATION ON ANY SUBJECT**
13. **R--2007 Resolution for Executive Session**
14. **OTHER BUSINESS**
15. **ADJOURNMENT**