

Regular Meeting ● January 23, 2008 ● Wednesday Evening ● 7:30pm

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

AGENDA

CALL TO ORDER

Mayor Clemmensen called the meeting to order at 7:30pm

SALUTE OF THE FLAG

Mayor Clemmensen led the Council and public in the flag salute.

COMPLIANCE STATEMENT:

The Municipal Clerk read the following 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 Mark E. Clemmensen, present, Councilpersons, Ken Farrell, present, Fred E. Niemeyer, present, Raymond Bogan, present, Anne Morris, present, Don Fetzer, present, Joseph Bonacci, present.

Election of Council President

Councilman Bogan offered and moved for nomination Fred Niemeyer as Council President, Seconded, Councilman Farrell. The nominations were closed and Councilman Niemeyer was affirmed to the office of Council President by the following roll call vote:
AYES: Farrell, Niemeyer, Bogan, Morris, Fetzer, Bonancci.

NAYS: None

ABSTAIN: None

ABSENT: None

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, Councilwoman Morris.

R-28-2008 Resolution Authorizing Contract with Commerce Risk Control for 2008 CDL Random Drug and Alcohol Testing Program at a cost of \$90.00 per test

RESOLUTION R-28-2008

**RESOLUTION TO ENTER AGREEMENT WITH COMMERCE RISK
CONTROL FOR CDL RANDOM DRUG AND ALCOHOL TESTING PROGRAM
FOR 2008**

WHEREAS, the Borough of Sea Girt is in need of Commercial Drivers License Random Drug and Alcohol Testing Services for the 2008 Calendar year, and

WHEREAS, Commerce Risk Control a Division of Commerce Banc Insurance Services, Inc., 1701 Rt. #70 East, PO Box 1360, Cherry Hill, NJ 08034, provides this service at a cost of \$90.00 per test, and

WHEREAS, Sea Girt Borough is desirous to enter into an agreement with Commerce Risk Control for Commercial Drivers License Random Drug and Alcohol Testing for the 2008 calendar year.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth that the agreement attached is approved and authorized, and

BE IT FURTHER RESOLVED, that the Clerk of the Borough Council of the Borough of Sea Girt, will forward to Commerce Risk Control a Division of Commerce Banc Insurance Services, Inc., 1701 Rt. #70 East, PO Box 1360, Cherry Hill, NJ 08034, a true and certified copy of this resolution and a signed copy of the Agreement to enter a contract with Commerce Risk Control to provide Random Drug and Alcohol Testing services for the Borough of Sea Girt.

R-29-2008 Resolution Authorizing Contract with Visiting Nurse Association of Central Jersey 1-1-2008 thru 12-31-2008 in the amount of \$2128.00 includes Cost of Living Adjustment

RESOLUTION R-29-2008

**RESOLUTION AUTHORIZING CONTRACT WITH
VISITING NURSE ASSOCIATION OF CENTRAL JERSEY
1-1-2008 THRU 12-31-2008 IN THE AMOUNT OF \$2128.00**

WHEREAS, the Borough of Sea Girt is in need of the Visiting Nurse Association of NJ services for the 2008 Calendar year, and

WHEREAS, VNA of Central Jersey, 176 Riverside Ave., Red Bank, NJ 07701, 800-862-330 provides community nursing services to the Borough's residents, and

WHEREAS, Sea Girt Borough is desirous to enter into an agreement with VNA of Central Jersey, 176 Riverside Ave., Red Bank, NJ 07701, 800-862-330 for the 2008 calendar year.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth that an agreement with VNA, Central Jersey is approved and authorized, and

BE IT FURTHER RESOLVED, that the Clerk of the Borough Council of the Borough of Sea Girt, will forward VNA of Central Jersey, 176 Riverside Ave., Red Bank, NJ 07701, a true and certified copy of this resolution and a signed copy of the Agreement to enter a contract with VNA of Central Jersey, 176 Riverside Ave., Red Bank, NJ 07701, to provide Community Nursing services for the Borough of Sea Girt.

Change Meeting for Nov 2008 to be Nov. 12, 2008 from Nov. 19th, 2008

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

APPROVE MINUTES

Council Minutes 12-12-2007, 1-02-2008, 1-04-2008 Meeting

Councilman Farrell offered and moved to approve the above minutes, seconded Councilman Niemeyer. The motion was carried by voice vote.

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

Councilman Farrell spoke on the merits of using electronic bill paying technologies, using a procurement card systems and asked that the matter be placed on the next meetings agenda for consideration. Councilman Farrell spoke of the work being done on the Borough's Zoning and Building Ordinances, one require of which would be to include a topography of the lot before, during and after completion. There are several other matters that are being considered and all will be presented to the council to be introduced as one ordinance.

Mayor Clemmensen asked that the Council confirm the following appointments:

Planning Board Appointments -	Appoint Marie Muelher -	Alt #2
	Appoint Chris Randazzo -	Class IV
	Appoint Susan Boriotti -	Alt #1
	Appoint Karen Brisben -	Class II
Licensed Water/Sewer Operator	Appoint Robert Koches	1 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)

Joe Norcia, Beacon Blvd, stated that he was disappointed that he was not appointed to the Borough's Planning Board.

OLD BUSINESS

Councilman Fetzer stated that the committee reviewing the matter of the Borough Engineer will complete their findings and report at the next council meeting.

NEW BUSINESS

R-30-2008 Resolution Authorizing Non-Fair and Open Contract for Water Engineers HMM – Water System Improvements Engineering Services
Councilman Bogan offered and moved the following Resolution, Seconded, Councilman Farrell.

RESOLUTION R-30-2008 RESOLUTION TO AUTHORIZING PROFESSIONAL SERVICES CONTRACT WITH HATCH MOTT MACDONALD FOR CONSTRUCTION MANAGEMENT SERVICES AND ENGINEERING

WHEREAS, the Borough of Sea Girt is desirous of entering a contract for construction management services and engineering for Water Treatment Plant Upgrade as proposed by Hatch Mott MacDonald in their December 11, 2007 letter, proposal #BRNOPUKE01, and

WHEREAS, Hatch Mott MacDonald met with council-members of the Water Committee on November 20, 2007 to present their Facility Evaluation and Document Review for the Borough's Water Treatment Plant, where the summary of their findings were presented, and

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WHEREAS, the Borough of Sea Girt is desirous of entering a contract with Hatch Mott MacDonald to proceed with the project known as Sea Girt Water Treatment Plant Upgrade and has agreed as outlined within their letter of December 11, 2007 to perform various tasks and provide supervision for these tasks as follows:

- 1) Design
- 2) Permitting and NJEIT Funding Coordination
- 3) Bidding
- 4) Construction, Administration and Observation

And,

WHEREAS, Hatch Mott MacDonald is estimating that the project as described in their December 11, 2007 letter will be complete by September 2009, and

WHEREAS, the cost of such project services are as listed:

- | | |
|---|--------------|
| 1) Design Phase Services (lump sum) | \$240,000 |
| 2) Permitting/NJEITFP Coordination (t&m) | \$35,000 est |
| 3) Bidding Services (t&m) | \$16,000 |
| 4) Construction, Administration and Observation | TBD |

WHEREAS, the Borough of Sea Girt has a need to acquire services of an experienced Water Systems Engineer, as a not-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5; and

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WHEREAS, the proposed contract may be awarded without competitive bidding in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., because the contract is for a service performed by a person authorized by law to practice a recognized profession that is regulated by law.

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WHEREAS, the Borough Clerk has determined and certified in writing that the value of the acquisition will exceed \$21,000.00; and

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WHEREAS, the anticipated term of this contract is 2 years and may be extended as many times as approved by this governing body; and

WHEREAS, Hatch Mott MacDonald, engineering services; have submitted a proposal dated December 11, 2007, indicating they will provide said services and have provided a Business Entity Disclosure Certification which certifies that each has 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 through the term of the contract; and

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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

NOW THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Sea Girt, does hereby authorize the Mayor and Clerk to enter into a contract with the professionals as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification 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.

NOW, THEREFORE BE IT RESOLVED, that the Borough of Sea Girt does hereby authorize the Mayor and Clerk to enter an agreement with Hatch Mott MacDonald, 3 Paragon Way, Freehold, NJ 07728.

BE IT FURTHER RESOLVED, that the agreement shall be subject to availability of funds as certified by the Borough's Chief Financial Officer and subject to the Borough Attorney's review.

The Water/Sewer Committee had met with Hatch Mott MacDonald after the completion of their initial report on the water plant project during which a presentation for improvements to the plan was presented. The plan presented by HMM appears to be in the best interest of the citizens of the Borough. The resolution above was approved by the following Roll Call Vote:

AYES: Farrell, Niemeyer, Bogan, Morris, Bonacci

NAYS: Non

ABSTAIN: Fetzer

ABSENT: None

Request by National Multiple Sclerosis Society to post a sign three weeks prior to event in order to publicize their 17th Annual Bike MS "Coast the Coast" ride on May 17th-18th, 2008

The Council President was asked to review the matter and report his findings at the next meeting.

Authorize Additional Insurance Coverage - Employers Public Liability

The Clerk explained that the Municipal Excess Liability Fund is offering increased coverage for Employees Liability Insurance including Directors and Officers Coverage.

The additional premium will be \$6400.00 annually to provide 6 million in coverage.

Councilman Bogan offered and moved to accept the coverages offered, seconded,

Councilman Farrell. The motion was approved by the following Roll Call Vote:

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

NAYS: None

ABSTAIN: None

COUNCIL REPORTS

Councilwoman Morris reported that she is working on fixing the Boardwalk at Chicago Blvd to date there has been no response from the DEP regarding whether we can proceed with that repair under our current maintenance permit, she has asked the council to ok having Peter Avakian, Engineer go forward with requesting a determination from DEP as well as preparing the package for bids which will include some of the work being done by Public Works, she asked also that upon review of the bid spec's she wishes to proceed with advertising for bids. Councilman Bogan offered that motion, seconded, Councilman Farrell. The motion was approved by the following roll call vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

R-31-2008 Resolution to Pay Bills

PUBLIC PARTICIPATION ON ANY SUBJECT

R-32-2008 Resolution for Executive Session

OTHER BUSINESS

ADJOURNMENT

DRAFT