

**Regular Meeting ● May 14, 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**

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

**COMPLIANCE STATEMENT:**

The Municipal Clerk read into the record the following: "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.

**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-85-2008 Resolution to Terminate Services of Temporary Zoning Official and Code Official effective 4-23-2008

**RESOLUTION R-85 -2008**

**RESOLUTION TO TERMINATE SERVICES OF TEMPORARY ZONING OFFICIAL AND CODE OFFICIAL EFFECTIVE 4-23-2008**

**WHEREAS**, the Governing Body at its last meeting appointed a Temporary Zoning Official and a Temporary Code Official to perform the duties of our regular Zoning Official and Code Official, and

**WHEREAS**, the Regular Employee holding those positions has been able to return to work effective on 4-23-2008.

**NOW, THEREFORE BE IT RESOLVED**, that the appointments of Temporary Zoning Official and Code are no longer required, and the Mayor and Council would like

to extend their gratitude to the persons who agreed to perform those duties during the Borough's time in need.

- B.** R-86-2008 Resolution Authorizing Contract with Associated Humane Societies, Inc. for the Contract Year April 1, 2008 through March 31, 2009  
**RESOLUTION R- 86 -2008**

**RESOLUTION AUTHORIZING AGREEMENT WITH ANIMAL CONTROL SERVICES WITH THE ASSOCIATED HUMANE SOCIETIES, INC.**

**WHEREAS**, the Borough of Sea Girt is desirous of animal control services for it's residents, and

**WHEREAS**, the Associated Humane Societies, Inc. of Newark, NJ with offices in Tinton Falls, NJ has agreed to provide animal control services as outlined in their contract effective April, 1, 2008 through March 31, 2008, and

**WHEREAS**, Associated Humane Societies, Inc. shall make their services as an animal control officer available to the Municipality on a daily basis, as need, for five days a week, Saturday, Sunday, Holidays and night emergency services as necessary, and

**NOW, THEREFORE BE IT RESOLVED**, that the Borough Council of the Borough of Sea Girt, does hereby authorize the following:

1. That this contract shall be at a cost of \$2.00 per capita per year.
2. That the Mayor and Clerk on behalf of the Borough Council of the Borough of Sea Girt.

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

AYES: Farrell, Bogan, Fetzer, Bonacci

NAYS: None

ABSTAIN: None

ABSENT: Niemeyer, Morris

Mayor Clemmensen asked that Resolution R-90-2008 be moved up on the agenda. The Municipal Clerk read the following resolution.

**RESOLUTION R-90-2008**

**RESOLUTION RECOGNIZING SEA GIRT BEACH PATROL MEMBERS  
RYAN PACE, DAVE WARREN AND JAY AMBERG**

**WHEREAS**, on April 24, 2008, Sea Girt Lifeguards Ryan Pace, Dave Warren and Jay Amberg did on April 24, 2008 perform heroically while off-duty perform a life-saving rescue of Dillon Ceglie at Chicago Blvd. Beach in Sea Girt, NJ, and

**WHEREAS**, Dillion Ceglion was approximately 30 yards off the Sea Girt shore when he got caught up in the rip-tide, and

**WHEREAS**, the Borough of Sea Girt Lifeguards Ryan Pace and Dave Warren entered the water with Mr. Pace reaching the young man first and with the assistance of Mr. Warren was able to rescue the distressed swimmer and get him to safely to shore, and

**WHEREAS**, the two life-guards Pace and Warren displayed courage and responded with no regard to their own safety in the dangerous water, and

**WHEREAS**, when Pace and Warren reached the shore the victim collapse and was having difficulty breathing, and

**WHEREAS**, the Sea Girt Police and Manasquan First Aid and off-duty lifeguard Jay Amberg were able to perform lifesaving techniques that included administering oxygen and transportation to Jersey Shore University Medical Center, Neptune, NJ and

**WHEREAS**, the distressed swimmer is now in good health thanks to the valiant efforts of Lifeguards Pace and Warren, the Manasquan First Aid Squad and the Sea Girt Police Department.

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Sea Girt, does hereby recognize and honor Lifeguards Ryan Pace, Dave Warren and Jay Amberg for the excellent dedication to lifesaving that they exhibited on April 24, 2008.

The victim, and the life-guards were present as the Resolution was read. Mayor Clemmensen and Councilman Bogan both spoke of the tremendous dedication of the off-duty lifeguards and thanked them for their efforts.

#### **APPROVE MINUTES**

Mayor Clemmensen asked that the minutes be tabled until the next meeting.

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

Mayor Clemmensen noted that the Borough's new CFO was in the audience, John E. Barrett and gave the audience an update as to Mayor Emeritus Ahern's health and of Chief Sidley's health.

**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)

There were no members of the public wishing to speak.

#### **OLD BUSINESS**

##### **2008 Budget**

## Public Hearing and Vote for Adoption

Councilman Farrell gave a presentation of the proposed budget.

Mayor Clemmensen opened the Public Hearing on the 2008 Municipal Budget. Ed Robinson, Brooklyn Blvd. Concern with surplus being in revenues instead of a separate item. Councilman Farrell noted that the amount listed is the amount of surplus being used, this is what we are dedicating to our revenues from our surplus. Councilman Farrell would like to build the surplus amount up by charging appropriate fees. 608,635.00 is the total surplus available, 518,000 is what we are using in this years budget. Councilman Farrell would not like to see a lot of debt service in the future. Councilman Farrell asked that permits not be issued for CO's and Building Permits unless the taxes are paid on that property. CFO Barrett, explained the use of surplus and the effect of unpaid taxes on the budget, as well as the schedule for taxes paid to the School Board. Mr. Robinson asked the percentage increase of new hires and salaries? Mr. Farrell replied that the contractual workers get 3 and 3 1/2 percent, there are steps on a lot of these jobs, there are extra salaries given on certifications, there is a salary number on the total, it is a number that is higher then that, I can say that not everyone received an increase, such as those hired mid year. Mr. Robinson asked about the increase the hiring of an administrator. Mr. Farrell reported that \$108,000 was in the last years budget. Some of that money we used a good portion of that money to upgrade our accounting system. The upgrade will happen in the first week of June. We decided to focus that money on software upgrades, Mr. Farrell, pushed hard for Borough Administrator, because he believes that the Borough, because he believes that the administrator will make his salary back in grants, plans, etc. Councilman Farrell noted that the position of the administrator had previously been budgeted. In terms of our CFO, what we are asking from Mr. Barrett is 15hrs a week, in part of the agreement he will be using part of his Comp time and give us two solid weeks, we are going to work that back into his 15 hrs a week, I am very appreciative of the time. Mayor Clemmensen, the CFO position was a previous position. Mr. Hulsart, spoke about the debt service, and the plan that has been in place to reduce interest costs. Mr. Farrell, the upped the payments to reduce the debt at the beach, we hope to keep that rate on the beach Mr. Robinson asked about the increase in personnel and the affect that created on the budget, Mr. Foley, Philadelphia Blvd. asked about the Beach Utility. Are we spending \$500,000 more then the amount budgeted in last year? Mr. Hulsart noted that we use about that amount every year. The taxes went up a little more then 5.7%. Is that going to be the increase for the next few years? Councilman Farrell noted that he was trying to solve to 3%. I can tell you the cut in aid is probably not going forward. Mayor Clemmensen said that he would like to see about 4%, what is the pension going to increase?, two significant unknowns go well beyond what the department heads were charged in working their budget. There are going to be high costs at a rapid increase you have to limit what you spend. Mayor Clemmensen knows the cost of fuel. We just want to recoup the cost of business. We are not carrying the cost of that service, there are no scared cows, there are something that we may put on a non-binding referendum because we want to hear the public. Mr. Foley, said that 6% has been the average increase of taxes over the past several years. The Uncollected taxes last year were calculated at a percentage calculated. The situation has been improving. We would always have a certain number for uncollected taxes. Our

collection rate is getting better. Council Councilman Farrell offered and moved the 2008 Budget, Seconded, Councilman Bogan

The Municipal Budget was approved by the following Roll Call Vote:

AYES: Farrell, Bogan, Fetzer, Bonacci

NAYS: None

ABSTAIN: None

ABSENT: Niemeyer, Morris

Mayor Clemmensen asked that the Council consider R-98-2008 Executive Session at this time for the purpose of discussing South Monmouth Regional Sewerage Authority.

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

### **RESOLUTION R-98-2008**

#### **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 May 14, 2008.

**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. Attorney Client – SMRSA Easement
3. It is anticipated, at this time that the date on which the stated subject matters, A and B will be made public is unknown.
4. This Resolution shall take effect immediately.

The foregoing Resolution was approved by voice vote.

The Council recessed into executive session at 7:36pm.

The Council returned to open session at 8:15pm.

Councilman Bogan offered and moved to Introduce the following Ordinance, Seconded, Councilman Farrell.

**ORDINANCE 08-2008**

**AN ORDINANCE APPROVING THE GRANTING OF PERMANENT AND TEMPORARY EASEMENTS TO THE SOUTH MONMOUTH REGIONAL SEWERAGE AUTHORITY FOR THE RECONSTRUCTION AND REHABILITATION OF THE SEA GIRT AVENUE PUMP STATION TOGETHER WITH THE RIGHT TO MAINTAIN AND REPAIR SAID STRUCTURE**

**WHEREAS**, the Borough of Sea Girt relies upon the South Monmouth Regional Sewerage Authority (SMRSA) for sewage treatment and disposal services and in connection therewith, the Borough previously conveyed an easement consisting of approximately 9,558 square feet (plus or minus) in, above and below Sea Girt Avenue, around the existing pump station, said easement having been recorded in the Monmouth County Clerk's Office on January 14, 1975 in Deed Book 3912 at Page 631, et seq.; and

**WHEREAS**, SMRSA has determined that rebuilding the existing pump station will improve the quality of services delivered to the Borough; and

**WHEREAS**, SMRSA has presented conceptual plans for the replacement of the pump station to the Borough Planning Board and representatives of the Mayor and Council, including the replacement of the existing structure with a new structure and the addition of landscaping; and

**WHEREAS**, in connection with said plans, SMRSA has proposed to

- 1) obtain a new, permanent easement from the Borough of approximately 1,800 square feet consisting of an additional 30' by 60' easement in the southerly portion of Sea Girt Avenue extending in a westerly direction from the present and retained easement; and
- 2) for the period of construction, SMRSA has proposed a temporary easement of approximately 1,440 square feet consisting of a 24' by 60' easement in the northerly portion of Sea Girt Avenue extending in a westerly direction from the present and easement

**WHEREAS**, the Borough Council finds that it is in the interest of all of the residents of and visitors to the Borough to improve the sewage treatment infrastructure in accordance with the proposal presented by SMRSA; and

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

1. The Mayor and Clerk of the Borough are hereby authorized to execute and deliver a Deed of Easements and Right of Way to SMRSA in return for the consideration set forth therein, said deed to be in substantially the form as attached hereto.

2. The delivery and effectiveness of said Deed of Easements and Right of Way to SMRSA for recording shall be contingent upon the Borough and SMRSA executing a written agreement incorporating the terms and consideration as set forth in this Ordinance and the Deed, and further requiring SMRSA to agree to retain its current easement in Sea Girt Avenue until such time as any and all right, title and interest previously conveyed by the Borough to SMRSA in a certain deed recorded January 14, 1975 in Deed Book 3912 at Page 631, et seq. and the new easement as provided for herein are no longer needed by SMRSA.

3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be deemed invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

4. Any Ordinances or portions thereof which are inconsistent with or in conflict with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency,

5. This Ordinance shall take effect upon final passage and publication in accordance with Law.

The foregoing Ordinance was approved for Introduction and Publication by the following Roll Call Vote:

AYES: Farrell, Bogan, Fetzer, Bonacci

NAYS: None

ABSTAIN: None

ABSENT: Niemeyer, Morris

The public hearing and second reading are scheduled for May 28, 2008.

Ordinance 02-2008 Bond Ordinance in the Amount of \$226,200.00 for the Purpose of Improvement of Sea Girt Elementary School South Grounds Renovation and Rehabilitation

Mayor Clemmensen opened by the Public Hearing on Ordinance 02-2008, being there were no members of the public wishing to speak, the Mayor closed the public hearing. Councilman Farrell offered the following Ordinance for adoption, Seconded, Councilman Fetzer.

#### **ORDINANCE # 02-2008**

**BOND ORDINANCE PROVIDING AN  
APPROPRIATION OF \$240,000 FOR  
IMPROVEMENTS TO THE SOUTH GROUNDS AT  
SEA GIRT ELEMENTARY SCHOOL  
BY THE BOROUGH OF SEA GIRT, IN THE  
COUNTY OF MONMOUTH, NEW JERSEY AND**

**AUTHORIZING THE ISSUANCE OF \$228,000  
BONDS OR NOTES OF THE BOROUGH FOR  
FINANCING PART OF THE APPROPRIATION**

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the “Improvements”) are hereby authorized to be undertaken by the Borough of Sea Girt, New Jersey (the “Borough”) as general improvements. For the said Improvements there is hereby appropriated the amount of \$240,000, such sum includes the sum of \$12,000 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments or capital improvement purposes.

SECTION 2:

In order to finance the additional cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$228,000 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$228,000 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 3:

(a) The Improvements authorized and the purposes for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

Improvements	Appropriation and Estimated Cost	Maximum Amount of Bonds or Notes	Period of Usefulness
(1) Improvements to the South Grounds at Sea Girt Elementary School and the acquisition of all	240,000	228,000	15 years

work and materials necessary or incidental thereto.

TOTAL PURPOSES	\$240,000	\$228,000
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(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$228,000.

(c) The estimated cost of the Improvements is \$240,000 which amount represents the initial appropriation made by the Borough.

#### SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. 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 Notes issued pursuant to this 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 subject to the provisions of Section 8(a) 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 purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

#### SECTION 5:

The capital budget of the Borough is hereby amended to 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, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

#### SECTION 6:

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

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire 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 the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. 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 and Notes provided in this bond ordinance by \$228,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

#### SECTION 7:

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance (\$238,400 is expected to be received from the Monmouth County Open Space Program) shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

#### SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

#### SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$228,000.

SECTION 10:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The foregoing Ordinance was adopted by the following Roll Call Vote:

AYES: Farrell, Bogan, Fetzer, Bonacci

NAYS: None

ABSTAIN: None

ABSENT: Niemeyer, Morris.

Ordinance 03-2008 Bond Ordinance in the Amount of \$95,000 for the purpose of Remediating Soils at the Public Works Facility.

Mayor Clemmensen opened by the Public Hearing on Ordinance 03-2008, being there were no members of the public wishing to speak, the Mayor closed the public hearing. Councilman Farrell offered the following Ordinance for adoption, Seconded, Councilman Fetzer.

**ORDINANCE # 03-2008**

**BOND ORDINANCE PROVIDING AN  
APPROPRIATION OF \$95,000 FOR SITE  
REMEDICATION AT PUBLIC WORKS FACILITY BY  
THE BOROUGH OF SEA GIRT, IN THE COUNTY  
OF MONMOUTH, NEW JERSEY AND  
AUTHORIZING THE ISSUANCE OF \$90,250 BONDS  
OR NOTES OF THE BOROUGH FOR FINANCING  
PART OF THE APPROPRIATION.**

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BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF SEA GIRT, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Sea Girt, New Jersey (the "Borough") as general improvements. For the said Improvements there

is hereby appropriated the amount of \$95,000, such sum includes the sum of \$4,750 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments or capital improvement purposes.

SECTION 2:

In order to finance the additional cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$90,250 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$90,250 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 3:

(a) The Improvements authorized and the purposes for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

Improvements	Appropriation and Estimated Cost	Maximum Amount of Bonds or Notes	Period of Usefulness
(1) Site Remediation at Public Works Facility and the acquisition of all work and materials necessary or incidental thereto.	\$95,000	\$90,250	15 years
<b>TOTAL PURPOSES</b>	<b>\$95,000</b>	<b>\$90,250</b>	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$90,250.

(c) The estimated cost of the Improvements is \$95,000 which amount represents the initial appropriation made by the Borough.

#### SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. 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 Notes issued pursuant to this 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 subject to the provisions of Section 8(a) 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 purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

#### SECTION 5:

The capital budget of the Borough is hereby amended to 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, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

#### SECTION 6:

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

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire 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 the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed

duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. 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 and Notes provided in this bond ordinance by \$90,250 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$95,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

#### SECTION 7:

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

#### SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

#### SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$90,250.

#### SECTION 10:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The foregoing Ordinance was adopted by the following Roll Call Vote:

AYES: Farrell, Bogan, Fetzer, Bonacci

NAYS: None

ABSTAIN: None

ABSENT: Niemeyer, Morris

R-87-2008 Resolution to Enter Memorandum of Understanding with NJ Dept of Environmental Protection

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

**RESOLUTION R-87-2008**

**RESOLUTION TO AUTHORIZING ENTERING INTO A MEMORANDUM OF UNDERSTANDING WITH NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR OVERSIGHT OF REMEDIAL ACTIVITIES AT BOROUGH PROPERTY USED BY THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Borough of Sea Girt is the owner of certain property located on Bell Place and Baltimore Boulevard within the Borough that is utilized by the Borough's Department of Public Works; and

**WHEREAS**, on February 24, 2006, the New Jersey Department of Environmental Protection (hereafter "Department"), issued an Administrative Order and Notice of Civil Administrative Assessment ("AONOCAPA") charging that the Borough was required to perform remedial activities in connection with a discharge from underground storage tanks on the Borough's property, noticed to the Department on or about July 23, 1997; and

**WHEREAS**, ongoing communications between the Department and representatives of the Borough have resulted in the Borough proposing to enter into a Memorandum of Understanding to correct the cited violations, complete the remediation of the site and to settle the assessed penalty under the AONOCAPA; and

**WHEREAS**, the Council of the Borough of Sea Girt has determined that it is in the best interest of the residents of the Borough to enter into said Memorandum of Understanding in order to remediate the property and resolve the Administrative Order and Notice of Civil Administrative Assessment;

**NOW THEREFORE BE IT RESOLVED**, that the Borough Council and the Borough of Sea Girt does hereby authorize the Mayor to enter into said Memorandum of Understanding with the New Jersey Department of Environmental Protection; and

**BE IT FURTHER RESOLVED**, that the Borough Attorney is authorized to return the signed Memorandum of Understanding with an Appeal of the Administrative Penalty set forth therein through the New Jersey Department of Environmental Protection; and

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

AYES: Farrell, Bogan, Fetzer, Bonnacci

NAYS: None

ABSTAIN: None

ABSENT: Niemeyer, Morris

Ordinance 04-2008 CAP Ordinance

Mayor Clemmensen opened by the Public Hearing on Ordinance 03-2008, being there were no members of the public wishing to speak, the Mayor closed the public hearing. Councilman Farrell offered the following Ordinance for adoption, Seconded, Councilman Fetzer.

### **ORDINANCE 04-2008**

#### **CALENDAR YEAR 2008 MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

**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 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: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 of Sea Girt in the County of Monmouth finds it advisable and necessary to increase its CY 2008 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 of Sea Girt hereby determines that a 2.5% increase in the budget for said year, amounting to \$108,230.70 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Borough of Sea Girt 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 of Sea Girt, Borough Council, in the County of Monmouth, a majority of the full authorized

membership of this governing body affirmatively concurring, that in the CY 2008 buget 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 1%, amounting to \$43,292.28, and that the CY 2008 municipal budget for the Borough of Sea Girt be approved and adopted in accordance with this ordinance, and

The foregoing Ordinance was adopted by the following Roll Call Vote:

AYES: Farrell, Bogan, Fetzer, Bonacci

NAYS: None

ABSTAIN: None

ABSENT: Niemeyer, Morris.

R-68-2008 Resolution to Authorize Interlocal Agreement with Sea Girt Board of Education for the Purpose of Securing Re-imbursement for Monies Totaling \$238,000, Monmouth County Open Space Grant

The Grant process is moving forward.

#### Results of Beach Uniform Bid

The Clerk reported that there were no bid specifications picked up and no bids received for the 2008 Beach Uniform Bid. The Borough Attorney noted that law regarding such a circumstance. Councilman Bogan offered and moved to authorize the Beach Manager to secure quotes with local vendors for the purchase of 2008 Beach Uniforms, Seconded, Councilman Farrell. The motion was approved by the following roll call vote:

AYES: Farrell, Bogan, Fetzer, Bonacci

NAYS: None

ABSTAIN: None

ABSENT: Niemeyer, Morris

#### **NEW BUSINESS**

Mayor Clemmensen asked to move the Personnel Performance Evaluations and Resolutions R-91 and R-92 up on the agenda to accommodate Councilman Bonacci, who has to leave the meeting. The matter of the agenda was approved by voice vote.

Councilman Bonacci gave a presentation reporting that the Borough Administrator and he have prepared a Performance Evaluation form that will be implemented shortly. A presentation and explanation of the new form was made by Councilman Bonacci. New Employees will be hired on a probationary period of 90 days. Continuing Education very important, but must benefit the Borough. Councilman Bonacci noted that they were also working on Climate Survey, the education policy, up date, personnel and policies and procedures manual. Admin Bunting, noted that the form will be done annually, with some exceptions, merit based decisions will be made on salary increases, hiring actions and tenure. Councilman Bogan, would like to see #4, achieved with distinguish, achieved results, in-consistantly achieved results, no performance. Councilman Fetzer asked about the 90 day probationary period. Administrator Bunting, noted that the a person needs to have a fair chance. Councilman Bogan, noted that the Borough is an At-Will Employer. Mayor Clemmensen thanked them for their hard work. Don Laws, asked what would

happen if an employee fails to sign. Administrator Bunting, said that he would simply note the file. Attorney Brennan said that the personnel manual could be amended to note the procedure to be followed.

R-91-2008 Resolution Accepting Resignation of Recreation Director  
Councilman Bonacci offered and moved the following Resolution, Seconded,  
Councilman Fetzer.

**RESOLUTION R-91-2008**

**RESOLUTION ACCEPTING RESIGNATION OF RECREATION DIRECTOR**

**WHEREAS**, the Borough Administrator has received and accepted the resignation of the Borough's Recreation Director, and

**WHEREAS**, the Pete McInerney contacted the Borough on Thursday, May 8, 2008 and formally gave his resignation.

**NOW, THEREFORE BE IT RESOLVED**, the Borough Council of the Borough of Sea Girt does hereby Regretfully Accept the resignation of Pete McInerney effective May 8, 2008.

**BE IT FURTHER RESOLVED**, that the Mayor and Council of the Borough of Sea Girt does wish Mr. McInerney much success in his future endeavors.

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

AYES: Farrell, Bogan, Fetzer, Bonacci.

NAYS: None

ABSTAIN: None

ABSENT: Niemeyer, Morris

R-92-2008 Resolution to Hire Chief Financial Officer  
Councilman Bonacci offered and moved the following Resolution, Seconded,  
Councilman Bogan.

**RESOLUTION R-92-2008**

**RESOLUTION APPOINTING CHIEF FINANCIAL OFFICER  
JOHN E. BARRETT**

**WHEREAS**, the Borough of Sea Girt is in need of a Chief Financial Officer, and

**WHEREAS**, the Borough Administrator has conducted interviews and has made his recommendation to the Governing Body to hire John E. Barrett, CFO, and

**WHEREAS**, the hourly rate shall be \$35.00, and

**WHEREAS**, it is expected that John E. Barrett will perform the statutory duties of the position of Chief Financial Officer as described in N.J.S.A. 40A:9-140.1 et seq. and

**WHEREAS**, John E. Barrett is to be considered a part-time employee of the Borough and therefore not entitled to the benefits afforded full-time permanent employees.

**NOW, THEREFORE BE IT RESOLVED**, John E. Barrett, CFO is hereby appointed to the position of Chief Financial Officer for the Borough of Sea Girt at an hourly rate of \$35.00, and shall be considered a part-time employee, and

**BE IT FURTHER RESOLVED**, that John E. Barrett will fill the position of Chief Financial Officer's unexpired term expiring in 12-31-2010.

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

AYES: Farrell, Bogan, Fetzer, Bonacci

NAYS: None

ABSTAIN: None

ABSENT: Niemeyer, Morris

Councilman Bonacci was excused from the meeting at 9:28pm.

R-88-2008 Resolution Accepting NJDOT Grant in the amount of \$160,000 for Street Improvement Projects for First Ave.

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

**RESOLUTION R-88-2008**

**RESOLUTION ACCEPTING NJDOT GRANT IN THE AMOUNT OF \$160,000 FOR STREET IMPROVEMENT PROJECTS FOR FIRST AVE ET AL.**

**WHEREAS**, the Borough of Sea Girt has received notification that their application as prepared by the Borough Engineer to the New Jersey Department of Transportation has approved their recent application for Local Aid Funding in the amount \$160,000.00 and,

**WHEREAS**, the Borough Council and Mayor would like to accept the grant.

**NOW, THEREFORE BE IT RESOLVED**, that the Borough Council of the Borough of Sea Girt does hereby accept funding in the amount of \$160,000 for Street Improvements Projects for First Ave., et al.

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

AYES: Farrell, Bogan, Fetzer, Mayor Clemmensen

NAYS: None

ABSTAIN: None

ABSENT: Niemeyer, Morris, Bonacci

R-89-2008 Armed Forces Day Resolution

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

**RESOLUTION R-89-2008**

**RESOLUTON RECOGNIZING ARMED FORCES DAY**

**WHEREAS**, the Borough of Sea Girt has always supported and honored the United States Military; and

**WHEREAS**, many Sea Girt residents have an honored tradition of serving in the United States Military; and

**WHEREAS**, in the spirit of further honoring and supporting a resolution passed by the United States Congress in 1999 proclaiming May as National Military Appreciation Month; and

**WHEREAS**, the Borough of Sea Girt desires to express and demonstrate an appreciation to the men and women who have served in the military and their families who have sacrificed as well, and to the military organization in which they served; and

**WHEREAS**, calling on the people of Borough of Sea Girt, including businesses, schools, organizations, associations, churches, and the media to create and implement activities to thank, honor, and support the men and women who have served and are currently serving in the United States Armed Forces; and

**WHEREAS**, we can never thank our veterans enough, but with the establishment of “Armed Forces Appreciation Week” we are going to try;

**NOW, THEREFORE BE IT RESOLVED**, by Borough of Sea Girt, That the members of this legislative body designate the week preceding Armed Forces Day (the third Saturday in May) as Armed Forces Appreciation Week in the Borough of Sea Girt.

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

AYES: Farrell, Bogan, Fetzer, Mayor Clemmensen

NAYS: None

ABSTAIN: None

ABSENT: Niemeyer, Morris, Bonacci

Ordinance 05-2008 Fingerprint Check on Public Safety Volunteers

Councilman Fetzer offered and moved the following Ordinance for Introduction, Seconded, Councilman Bogan

**ORDINANCE 05-2008**

**AN ORDINANCE PROVIDING FOR A FINGERPRINT BASED CHECK ON  
PUBLIC SAFETY VOLUNTEERS**

**WHEREAS**, the Borough of Sea Girt relies on public safety volunteers to provide fire and fire police services and may deem it necessary to rely on public safety volunteers in other functions that are defined as public safety functions normally conducted by paid criminal justice agencies, fire departments or first aid squads, and

**WHEREAS**, the Council has determined that it is necessary for the safety and well being of the citizens of and visitors to the Borough of Sea Girt that fingerprint based background checks of criminal history record information is necessary to protect the citizens of the Borough.

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

**SECTION ONE.** “Public Safety Volunteer” means any person who is performing or applying for a public safety task in an un-paid position for a criminal justice agency, fire department or first aid squad or any other task defined as a public safety function normally conducted by a paid criminal justice agency, fire department or first aid squad.

**SECTION TWO.** Any person applying for or acting as a Public Service Volunteer shall be subject to fingerprinting and a check of criminal history record information.

**SECTION THREE.** In connection with said fingerprinting, the Chief of Police of the Borough of Sea Girt is hereby authorized to submit said fingerprints to the New Jersey State Police in accordance with N.J.A.C. 13:59-1 et seq.

**SECTION FOUR.** Any Ordinances or portions thereof which are inconsistent with or in conflict with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION FIVE.** This Ordinance shall take effect upon final passage and publication in accordance with law.

The Ordinance was approved by the following Roll Call Vote:

AYES: Farrell, Bogan, Fetzer, Mayor Clemmensen

NAYS: None

ABSTAIN: None

ABSENT: Niemeyer, Morris, Bonacci

Ordinance 07-2008 Ordinance Setting the Beach Salaries 2008

Councilman Farrell offered and moved the following Ordinance for introduction, Seconded, Councilman Bogan.

**ORDINANCE NO. 07-2008**

**AN ORDINANCE FIXING THE SALARIES OF THE SUMMER SEASON EMPLOYEES OF THE BOROUGH OF SEA GIRL IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY**

BE IT ORDAINED by the Borough Council of the Borough of Sea Girl in the County of Monmouth and State of New Jersey:

SECTION ONE - The salaries to be paid to summer season employees and the time for payment of same are hereby fixed as follows:

1. Beach Manager - \$1,076.02 per week for sixteen weeks, payable bi-weekly.
2. Head Cashier - \$11.44 per hour, payable bi-weekly.
3. Assistant Cashier - \$10.20 per hour, payable bi-weekly.
4. Lifeguard Chief - \$804.69 per week for sixteen weeks, payable bi-weekly.
5. Crew Chief - \$13.19 per hour, payable bi-weekly.
6. Lifeguard – Twenty + Years - \$12.61 per hour, payable bi-weekly.
7. Lifeguard – Fifteenth - Nineteenth Year - \$12.35 per hour, payable bi-weekly.
8. Lifeguard – Tenth - Fourteenth Year - \$12.09 per hour, payable bi-weekly.
9. Lifeguard – Fifth - Ninth Year - \$11.83 per hour, payable bi-weekly.
10. Lifeguard – Fourth Year - \$10.95 per hour, payable bi-weekly.
11. Lifeguard – Third Year - \$10.44 per hour, payable bi-weekly.
12. Lifeguard – Second Year - \$10.20 per hour, payable bi-weekly.
13. Lifeguard – First Year - \$9.66 per hour, payable bi-weekly.
14. Gateguard – Twenty + Years - \$9.33 per hour, payable bi-weekly.
15. Gateguard – Fifteenth – Nineteenth Year - \$9.07 per hour, payable bi-weekly.
16. Gateguard – Tenth – Fourteenth Year - \$8.82 per hour, payable bi-weekly.
17. Gateguard – Fifth – Ninth Year - \$8.56 per hour, payable bi-weekly.
18. Gateguard – Fourth Year - \$8.44 per hour, payable bi-weekly.
19. Gateguard – Third Year - \$8.09 per hour, payable bi-weekly.
20. Gateguard – Second Year - \$7.44 per hour, payable bi-weekly.
21. Gateguard – First Year - \$7.36 per hour, payable bi-weekly.

22. Beach Cleaner - \$7.83 per hour, payable bi-weekly.
23. Rest Room Attendant - \$11.02 per hour, payable bi-weekly.
24. Casual Labor Recreation Commission – an hourly wage not to exceed \$15.45 per hour, payable bi-weekly.
25. Recreation Commission Supervisor – an hourly wage not to exceed \$30.00 per hour, payable bi-weekly. Recreation Commission wages are at the discretion of the Commission Chairperson.
26. Jr. Lifeguard Director - \$13.19 per hour, payable bi-weekly.
27. Jr. Lifeguard Assistant – an hourly wage not to exceed \$12.36 an hour at the discretion of the Commission Chairperson.
28. Summer Recreation Assistant Director – an hourly wage not to exceed \$20.60 per hour, payable bi-weekly.
29. Additional certifications .52 for lifeguards and crew chiefs per hour - Additional Steps Lifeguards and cashiers .26 to .77 per hour. Restroom Attendant .26 per hour payable bi-weekly
30. Emergency Management Coordinator RANGE \$1545.00 - \$2575.00 Annually

SECTION TWO – All ordinances or parts of ordinances in conflict with this ordinance or any part thereof are hereby repealed.

SECTION THREE – This ordinance shall take effect upon final passage and publication pursuant to law.

The foregoing Ordinance was approved for introduction by the following Roll Call Vote:  
AYES: Farrell, Bogan, Fetzer, Mayor Clemmensen  
NAYS: None  
ABSTAIN: None  
ABSENT: Niemeyer, Morris, Bonacci

Liquor License Renewals  
R-93-2008 Resolution to Renew Harrigan's  
Councilman Farrell offered and moved the following Resolution, Seconded, Councilman Bogan.

**RESOLUTION R-93-2008**

**RESOLUTION TO APPROVE PLENARY RETAIL CONSUMPTION LICENSE  
FOR EMERALD SHORE, INC. T/A HARRIGAN'S PUB, 703 BALTIMORE  
BLVD., SEA GIRT, NJ**

**WHEREAS**, an application for renewal of Plenary Retail Consumption License has been filed by Emerald Shore, Inc. t/a Harrigan's Pub, has been properly executed and is accompanied by the State and Borough fees, License Application Certification, and Tax Clearance Certificate;

**NOW, THEREFORE BE IT RESOLVED** that the Plenary Retail Consumption License #1344-33-001-004, effective from July 1, 2008 to June 30, 2009 be issued to Emerald Shore, Inc. T/A Harrigan's Pub, premises located at 703 Baltimore Boulevard, Sea Girt, New Jersey.

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

AYES: Farrell, Bogan, Fetzer, Mayor Clemmensen

NAYS: None

ABSTAIN: None

ABSENT: Niemeyer, Morris, Bonacci

R-94-2008 Resolution to Renew Rod's Irish Tavern

Councilman Farrell offered a motion to table R-94-2008 to the next meeting, Seconded, Councilman Fetzer. The Resolution will be on the next agenda.

## **COUNCIL REPORTS**

Councilman Fetzer, report from Avakian, NY Roadway Curbing this week, and paving coordinated to Memorial Day, Avakian, Flood Mapping Update, there are quite a few changes. Water System GIS has been completed by Avakian. 6<sup>th</sup> Ave water system continuing complaints, rusty water, fix suggested by engineer and public works. Starts next week, the Brooklyn Blvd. completed, CAFRA Beach and Dune permit, the ongoing dispute attended meeting in Trenton, there are on going discussions and Borough Attorney and State. There are four issues that are being addressed. The WTP is gathering speed, and the Water Engineer will be doing a presentation at the next meeting. There are questions with water committee, pertaining to UST at site, the tanks should be removed. The fueling will be through an interlocal agreement. The tankage would not come out until the end of the summer. The other issues we have had are the investigation of Well #6 & 7. Our well withdrawal permit is due to expire March 2009. Councilman Bogan, Police Report No Report, State Statue of Chief's responsibility is being reviewed. The Wreck Pond, Stormwater Plan Committee, the initial draft of the Wreck Pond Watershed Plan was introduced, the Committee will make comments and once those comments are incorporated into the Plan and then the Public will then be invited to review the plan. The problems that have caused Wreck Pond Dredging are incorporated in the document which is on the Mon Cty Planning Board Web Site. There is a great need for dredging of the pond. Coordination of the towns will be needed to go forward in order to get the pond dredged. Storm-ceptors are being coordinated and monitored by the Borough. Councilman Farrell, spoke of the resignation of Pete McNarey's recreation, and all that he has contributed to the Borough and wished him well. Recreation Basketball program we have been having sign-ups we are going to have to see what we are going to have to do about Recreation Basketball, but Summer Camp is going forward

as in the past. Mayor Clemmensen reminded the public of the Memorial Day event at the Plaza.

**R-95-2008 Resolution to Pay Bills**

The Clerk noted that there is a bill that should be on the list from Kelly and Brennan, in an amount of approximately \$4500. Councilman Farrell offered and moved the resolution as presented with the addition of Kelly and Brennan, Seconded, Councilman Bogan.

**RESOLUTION R-95 -2008**

**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 May 14, 2008 in total as follows:

CURRENT FUND			
1,736,956.76		\$ 1,643,111.15 + 4563.00 =	Kelly & Brennan
WATER / SEWER OPERATING FUND	\$	79,282.61	
BEACH OPERATING FUND	\$	22,942.74	
GRANT FUND	\$	0.00	
ANIMAL CONTROL FUND	\$	14.40	
TRUST FUND	\$	721.92	
GENERAL CAPITAL FUND	\$	55,897.83	
WATER / SEWER CAPITAL FUND	\$	575.00	
BEACH CAPITAL FUND	\$	0.00	
RECREATION TRUST FUND	\$	5.03	
UNEMPLOYMENT COMP. TRUST	\$	184.15	

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

AYES: Farrell, Bogan, Fetzer, Mayor Clemmensen

NAYS: None

ABSTAIN: None – Bogan Abstained on Yaeger Lumber Item.

ABSENT: None

**PUBLIC PARTICIPATION ON ANY SUBJECT**

Being there were no members of the public wishing to speak, the Mayor moved to R-96-2008

**R-96-2008 Executive Session**

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

**RESOLUTION R-96-2008**

**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 May 14, 2008.

**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. Litigation – US Interior
3. It is anticipated, at this time that the date on which the stated subject matters, A 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, Bogan, Fetzer, Mayor Clemmensen

NAYS: None

ABSTAIN: None

ABSENT: Niemeyer, Morris, Bonacci

The Council recessed into executive session at 9:52pm

The Council returned to Open Session at 10:50pm.

**OTHER BUSINESS**

R-97-2008 Resolution to Hire Part Time Seasonal Employees for Beach Season 2008

Councilman Bogan offered and moved the following Resolution, Seconded, Councilman Fetzer

**RESOLUTION R-97-2008**

**RESOLUTION TO HIRE PART-TIME SEASONAL EMPLOYEES FOR THE BEACH UTILITY SEASON 2008**

**WHEREAS**, the Beach Utility is in need of various personnel to fulfill positions established in the 2008 Beach Salary Ordinance, and

**WHEREAS**, the Beach Manager has recommended the following Personnel, and

**2008 Sea Girt Beach Department Roster**  
**Office, Gateguards,& Beach Crew**

***Bold Names are New Hires for 2008***

**Office : 291**

Jim Freda - Beach Manager  
Jean Trimble - Cashier  
Helen Goss - Asst. Cashier  
Patricia Summers - Asst. Cashier  
Meridith West – Asst Cashier  
Norb VanBergen (sub)

**Gateguards 293**

Morgan Agesen  
Eileen Anderson  
**Theresa Bowers**  
Warren Butler  
Kathie Campbell  
Henry Cerami  
Cathy Clark  
Cara Connell  
Andrew Criscuolo  
Robert Doull

**Durell Eckart**

**Laura Farfel**

Lois Finley  
Chuck Foley

**Lauren Hobbis**

Don Mayer  
Joe Pluscauski  
Nancy Rees  
Sam Rozza  
Brain Scheiderman  
Mary Scheiderman

**Kelly Sidley**

**Tom Vodola**

**Meg Wallace**

**Ted Weiland**

**Beach Crew : 294**

Kyle Buckley  
**Patrick Cranwell**  
**William Davis**  
Tim Munn  
Taylor Pasanello  
Conner Schobel  
Ryan Schobel

**Restroom Attendant**

Norman Goss

**WHEREAS**, the Borough Administrator has concurred with the Beach Managers Recommendations.

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council confirm the foregoing list as presented.

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

AYES: Farrell, Bogan, Fetzer, Mayor Clemmensen

NAYS: None

ABSTAIN: None

ABSENT: Niemeyer, Morris, Bonacci

**ADJOURNMENT**

Councilman Bogan offered and moved to adjourn at 11:00pm, Seconded, Councilman Fetzer, the motion was carried by voice vote at 11:00pm, and the meeting adjourned.

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Mark E. Clemmensen, Mayor

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Lorene K. Wright, RMC  
Municipal Clerk