

Regular Meeting □ June 25, 2008 □ Wednesday Evening □ 7:30pm

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

MINUTES June 25, 2008

CALL TO ORDER

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

SALUTE OF THE FLAG

Mayor Clemmensen led the Council in the Flag Salute.

COMPLIANCE STATEMENT:

The Borough Administrator read 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, 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 Niemeyer.

R-116-2008 Accept Resignation of Lorene K. Wright, Borough Clerk

RESOLUTION R-116 -2008

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

**RESOLUTION ACCEPTING RESIGNATION OF BOROUGH
CLERK/REGISTRAR**

WHEREAS, the Borough Administrator has received and accepted the resignation of the Borough Clerk/Registrar, and

WHEREAS, Lorene K. Wright contacted the Borough on Monday, June 23, 2008 and formally gave her resignation.

WHEREAS, Ms. Wright will apply her unused paid time off to her absence from June 19, 2008 through July 16, 2008 and will be paid severance pay for the period of July 17, 2008 through November 7, 2008.

NOW, THEREFORE BE IT RESOLVED, the Borough Council of the Borough of Sea Girt does hereby accept the resignation of Lorene K. Wright effective July 16, 2008.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Sea Girt do wish Ms. Wright much success in her future endeavors.

R-117-2008 Appoint Acting Borough Clerk, Lauren Mayer

RESOLUTION R-117-2008

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

RESOLUTION TO APPOINT ACTING BOROUGH CLERK

WHEREAS, the Borough of Sea Girt Borough Clerk, Lorene K. Wright, has resigned effective July 16, 2008 and

WHEREAS, the position of Acting Borough Clerk is being filled by Lauren Mayer, and

WHEREAS, Ms. Mayer does not currently hold a registered municipal clerk certificate, but may, pursuant to N.J.S.A. 40A:9-133(c), be appointed to the position of Acting Borough Clerk for a period of one (1) year, and

WHEREAS, Borough Council has offered the position of Acting Borough Clerk for a term of one (1) year at an annual salary of \$56,000 to Lauren Mayer and she has agreed to accept the same, and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this purpose.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Sea do hereby confirm the appointment of Lauren Mayer to the position of Acting Borough Clerk effective immediately.

R-118-2008 Appoint Registrar of Vital Statistics, Lauren Mayer

RESOLUTION R-118-2008

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

RESOLUTION TO APPOINT REGISTRAR OF VITAL STATISTICS

WHEREAS, there is a vacancy in the position of Registrar of Vital Statistics in the Borough of Sea Girt; and

WHEREAS, Lauren Mayer possesses the necessary qualifications and abilities to perform the duties of Registrar and Linda McGeehan possesses the abilities to perform the duties of Deputy Registrar of Vital Statistics.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Sea Girt, County of Monmouth, State of New Jersey that Lauren Mayer be appointed to the position of Registrar of Vital Statistics and Linda McGeehan be appointed to the position of Deputy Registrar of Vital Statistics of the Borough of Sea Girt effective June 25, 2008.

R-119-2008 Confirming the Hiring of Tyler Ridgeway, 1st year Class II Special

RESOLUTION R-119-2007

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

RESOLUTION APPOINTING SPECIAL OFFICER CLASS II

WHEREAS, the Borough of Sea Girt has need for a Special Class II in the Police Department,

NOW, THEREFORE BE IT RESOLVED, that Tyler Ridgeway shall be appointed to the position of Special Class II Officers with an effective date of June 16, 2008 at a rate of pay of \$12.00 per hour representing 1st year Class II pay. Mr. Ridgeway has already successfully completed the Ocean County Police Academy in May 2006 and is fully certified.

R-120-2008 Accepting Resignation of Bryant Uricks, 3rd year Class II Special

RESOLUTION R-120-2008

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

**RESOLUTION ACCEPTING RESIGNATION OF SPECIAL OFFICER
CLASS II**

WHEREAS, the Chief of Police has received and accepted the resignation of the Class II Special, and

WHEREAS, Bryant Uricks, who has been with the Borough for 3 years, contacted the Borough on Tuesday, June 17, 2008 and formally gave his resignation.

NOW, THEREFORE BE IT RESOLVED, the Borough Council of the Borough of Sea Girt does hereby accept the resignation of Bryant Uricks effective June 17, 2008.

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

R-121-2008 Raffle License Sea Girt Lighthouse Citizens Committee

RESOLUTION R-121-2008

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

**RESOLUTION AUTHORIZING ON-PREMISES 50/50 RAFFLE
LICENSE SEA GIRT LIGHTHOUSE CITIZENS COMMITTEE**

WHEREAS, the Sea Girt Lighthouse Committee, has made application to Council for a raffle license to conduct an ON-PREMISE 50/50 raffle on August 2, rain date will be August 3, 2008, and

WHEREAS, the above is being conducted in accordance with Findings and Determinations of the verifying officer.

NOW, THEREFORE, BE IT RESOLVED, that the license requested be granted.

R112-2008 Establishment Options related to NJ Water Authority Contracts (language adjustment)

RESOLUTION R-112-2008

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

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF SEA GIRT AUTHORIZING THE MAYOR TO PARTICIPATE WITH REPRESENTATIVES OF THE MUNICIPALITIES IDENTIFIED HEREIN FOR THE PURPOSE OF EXPLORING POSSIBLE AMENDMENTS TO EXISTING CONTRACTS FOR THE PURCHASE OF TREATED WATER AND TO SOLICIT ADVICE REGARDING THE FORMATION OF A JOINT MUNICIPAL WATER ENTITY

WHEREAS, The municipalities of the Borough of Brielle, Spring Lake, Spring Lake Heights, Sea Girt and the Township of Wall (collectively the “Treated Water Purchasers”) are currently parties to individual treated water purchase contracts dated September 1, 1987 between the respective municipalities and the Monmouth County Improvement Authority (“Treated Water Purchase Contract”); and

WHEREAS, The relationship amongst the Treated Water Purchasers is in the nature of an inter-local services arrangement intended to collectively benefit all Treated Water Purchasers; and

WHEREAS, Section 17 of the Treated Water Purchase Contract grants an option to the Treated Water Purchasers to purchase the water treatment and transmission facilities from the Monmouth County Improvement Authority; and

WHEREAS, The Borough Council of the Borough of Sea Girt and the governing bodies of the other Treated Water Purchasers have determined that their respective financial interests and thereby the interests of their residents would be better served and furthered by establishing a joint entity comprised of representatives of the Treated Water Purchasers to attempt to renegotiate the Treated Water Purchase Contract including but not limited to terms pertaining to financing issues and administrative authority with respect to the operation of the water treatment and transmission facilities and the authority to incur debt to finance improvements to the treatment and distribution systems to meet treated water quality standards and increased capacity as set forth in Section 12 of the Treated Water Purchase Contract; and

WHEREAS, the Treated Water Purchasers seek to obtain counsel to represent them collectively with respect to assisting in the efforts to renegotiate the existing Treated Water Purchase Contract and to provide advice regarding the procedure and actions necessary for the possible formation of a joint entity to purchase the water treatment and distribution facilities and to otherwise evaluate and advise on the proposed purchase of the water treatment and distribution facilities.

WHEREAS, a certified copy of this Resolution be presented to the Monmouth County Improvement Authority at their next regular meeting; thereby putting the Authority on notice that the Water Purchasers agree to fund any and all repairs to the Water Treatment and Transmission facilities that are deemed essential. However, at this time, the Water Purchasers do not authorize any funding that extends past 2012, and/or

extends the life of the contract that the respective Water Purchasers presently have with the Authority.

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

1. The Mayor, as the designee of the full Borough Council is authorized to explore possible amendments to the existing Treated Water Purchase Contract and to explore the formation of a joint municipal entity for the purpose of purchasing the water treatment and transmission facilities described in this resolution.
2. After consideration of the matters discussed herein the mayor shall report to the full governing body at which time the matter may be considered for action by the full governing body.

Verbal confirmation that Borough Council will have one (1) meeting in July & August.

The foregoing Consent Agenda was approved by the following Voice Vote:

AYES: Farrell, Niemeyer, Bogan, Fetzer, Bonacci

NAYS: None

ABSTAIN: None

ABSENT: None

APPROVE MINUTES

Councilman Bogan, offered the council meeting minutes from 6-11-2008 for approval, Seconded, Councilman Farrell. The motion was approved by voice vote.

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

Councilman Farrell stated that the Sea Girt Elementary School is planning to hold a playground dedication and fundraiser on August 16, 2008 and that the school approached him to have the Borough's permission to hold this event. Mr. Farrell stated that he has checked with the borough's insurance agent and any events that they hold would be covered under the borough insurance. Mr. Farrell asked for a motion to allow the Sea Girt Elementary School to hold their event on August 16, 2008.

Mayor Clemmensen stated he received a flag today and would like to read the certificate. "This flag certificate is presented to The Borough of Sea Girt, New Jersey to certify that this American flag flew on June 14, 2008 over Iraq in an MH-60L, Tail #265, in support of Operation IRAQI FREEDOM. As this flag flew, it symbolized the sovereign power of the United States of America and the unshakeable resolve to keep our country safe. Matthew J. Bowen"

Mayor Clemmensen stated that they put on the sign the recognition of the deployment of the New Jersey National Guard, 2, 875 troops, the last of which left today and that it's the largest deployment of the New Jersey National Guard since WWII. He stated that the troops will go to Fort Bliss for 2 months of training and then to Iraq and in this group is Rob Czech who is the son of one of our residents, Bob Czech. Mayor Clemmensen also announced that one of our councilman, Mr. Bonacci, has volunteered to go out to Fort Bliss, TX to represent the Council and the Borough of Sea Girt and he appreciates his taking the time for this trip. Mayor Clemmensen stated that his son got home this weekend and he's going to visit him.

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)

Mr. Edward Robinson, Brooklyn Blvd. asked for clarification on Ordinance 10-2008 Defined Contribution Retirement Program (DCRP). Karen Brisben, resident and the payroll clerk for Sea Girt stated that under New Jersey state law if you make over \$1,500 they must be enrolled in pension and under the DCRP if they make under \$5,000 they do not have to enroll and it's throughout the State of New Jersey. Councilpersons and elected officials are the only persons who can waive being enrolled. Mr. Farrell stated that if a person was hired after July, 1, 2007 they must be enrolled and the DCRP is like a 401K in the private sector. Mr. Bunting stated that he waived his health benefits when he was hired but could not waive the DCRP.

OLD BUSINESS

Ordinance 09-2008 Ordinance Amending, Zoning Regulations of the Borough of Sea Girt in the County of Monmouth, New Jersey Changing the Classification of District 4 from Residential to Recreational Open Space.

Second Reading

The Clerk read the Ordinance by Title.

Public Hearing

Mayor Clemmensen opened the Public Hearing. At which time, Susan Laney wanted to know if the State Police lost their contract. Mayor Clemmensen stated that what we do know is that they're staying and what we think they might do is keep the areas that are in use now and see what they could subdivide and sell. Mr. Hauck, 401

Baltimore Blvd., had a question on the zoning change from residential to recreational and besides the possibility of a sale he read that last week the Supreme Court is going to shift the population to many of the rural areas and does this zoning change negate them being able to do that in Sea Girt? Mr. Brennan, Borough Attorney, stated that he may be referring to RCA's or development credits and the State Department of Community Affairs and Legislature must draft a new plan on affordable housing so that decision may slow down that process or it may speed it up on how towns are going to meet that need and the zone change should not affect that decision because there were no houses being developed and the State owned the property and it was undevelopable for housing. Mr. Brennan stated that each municipality had a pre-determined obligation to provide moderate or low income housing under various court decisions and with the legislature. But some towns were completely built out and couldn't provide moderate or low income housing so a formula was developed to permit the towns to transfer money to other towns where they had areas that could be developed or in urban areas to re-develop the areas. The built up and rural municipalities were trading with the urban municipalities. Mr. Bunting stated that the court would have to obtain authority like they did with Fort Monmouth, then yes, they could consider the property for housing but right now we are not affected by COAH. Mrs. Wenzler, 405 Trenton Blvd., wanted to know how it could be zoned as residential when it's been a training facility since WWII and how could they build houses there? Mayor Clemmensen stated that yes it has been a training facility since 1897 and that they would look into the possibility of that being a reason that it not be developed for everyday living.

The Mayor closed the public hearing and asked for a motion to adopt the ordinance. Councilman Fetzer offered the following Ordinance for adoption, Seconded, Councilman Niemeyer.

ORDINANCE 09-2008

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

**ORDINANCE AMENDING, ZONING REGULATIONS OF THE
BOROUGH OF SEA GIRT IN THE COUNTY OF MONMOUTH, NEW
JERSEY CHANGING THE CLASSIFICATION OF
DISTRICT 4 FROM RESIDENTIAL TO RECREATIONAL OPEN SPACE.**

WHEREAS, the Planning Board of the Borough of Sea Girt, at its meeting of May 21, 2008 adopted the Master Plan Re-Examination Report, Borough of Sea Girt, Monmouth County, New Jersey, May 2008, prepared by Peter R. Avakian, P.E. Planning Board Engineer and Planner; and

WHEREAS, the Borough Council has reviewed the May 2008 Master Plan Re-Examination Report and Master Plan Re-Examination Report of 2001 referenced therein and has determined that the proposed zone classification change of District 4 from Residential to Recreational Open Space will provide for passive and active recreational uses and preserve environmentally sensitive areas; and

WHEREAS, such zone change will provide for adequate light, air and open space, and will promote the establishment of appropriate population densities and preserve the environment, open space and valuable natural resources.

NOW, THEREFORE, BE IT ORDAINED BY the Borough Council of the Borough of Sea Girt in the County of Monmouth, State of New Jersey, that Article XVII of the Borough of Land Use Ordinance entitled “Borough of Sea Girt Zoning Regulations” is hereby amended and supplemented as follows:

SECTION 1. Section 17-3.1, “Zoning Districts”, is amended and supplemented as follows:

SYMBOL	DISTRICT	ZONE
4	4	Recreational Open Space

SECTION 2. Section 17-3.4 “Zoning Map” is hereby amended to delete “District 4 SINGLE FAMILY” and to insert in its place “DISTRICT 4 RECREATIONAL OPEN SPACE”.

SECTION 3. The Schedule of Limitations established by Section 17-4.1 is hereby amended and supplemented as follows:

**DISTRICT 4 RECREATION OPEN SPACE
PURPOSE**

To provide for and preserve passive and active recreational uses, adequate light, air and open space to promote the establishment of appropriate population densities and to preserve the environment, open space, environmentally sensitive areas and valuable natural resources.

PERMITTED USE ON AND/OR IN BUILDING

Beach Zone; Active Recreational Use;
Passive Recreational Use;
Environmentally Sensitive Areas and
Buffers; Government Use.

PERMITTED ACCESSORY USE:
Municipal Facilities; Museums(s)
Wireless Telecommunication Facilities
Parking

SECTION 4. 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.

SECTION 5 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 6. This Ordinance shall take effect upon final passage and publication in accordance with Law.

The foregoing Ordinance was approved for adoption and publication by the following Roll Call Vote:

AYES: Farrell, Niemeyer, Bogan, Fetzer, Bonacci

NAYS: None

ABSTAIN: None

ABSENT: None

Ordinance 010-2008 Ordinance Identifying Positions in the Borough of Sea Girt Subject to the Defined Contribution Retirement Program and Establishing Pension Enrollment Procedures for the Borough Employees and Officers.

Second Reading

The Municipal Clerk read the Ordinance 10-2008 by title.

Public Hearing

Mayor Clemmensen opened the public hearing on Ordinance 10-2008, being there were no members of the public wishing to speak, the Mayor closed the public hearing and asked for a motion to adopt the ordinance. Councilman Fetzer offered and moved the following Ordinance, Seconded, Councilman Bogan.

ORDINANCE 10-2008

ORDINANCE IDENTIFYING POSITIONS IN THE BOROUGH OF SEA GIRT SUBJECT TO THE DEFINED CONTRIBUTION RETIREMENT PROGRAM AND ESTABLISHING PENSION ENROLLMENT PROCEDURES FOR BOROUGH EMPLOYEES AND OFFICERS

WHEREAS, Chapter 92 of the Laws of 2007, set forth in N.J.S.A. 43:15C-2 et seq. requires the Borough to determine whether certain appointed employees are required to join the Defined Contribution Retirement Program (DCRP).

NOW THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Sea Girt that the following pension enrollment procedures are established and that the below listed position is identified as being subject to the Defined Contribution Retirement Program (DCRP).

SECTION ONE. Identification of Pension Programs

Borough Personnel are eligible for enrollment in various State pension programs including the Public Employee's Retirement System, (hereinafter "PERS"), Defined Contribution Retirement Program (hereinafter alternatively referred to as "DCRP") and Police and Firemen's Retirement System (hereinafter PFRS).

SECTION TWO. Required Participation

Unless otherwise exempted, the following persons shall be eligible and shall participate in the Defined Contribution Retirement Program:

A. A person commencing a position as Borough Councilperson on or after July 1, 2007, or any elected official who commenced such position prior to that time, but was out of office on any day after July 1, 2007, or who was not enrolled in PERS on any date after July 1, 2007.

B. Any person appointed to a position within the Borough whose appointment requires the consent of the Borough Council except:

1. Routine appointments below the level of Department Head.
2. Persons holding professional license or certificate to perform and is performing as a Certified Health Officer, Tax Assessor, Tax Collector, Municipal Planner, Chief Financial Officer, Registered Municipal Clerk, Construction Code Official, Licensed Uniform Subcode Inspector, Qualified Purchasing Agent, or Certified Public Works Manager.

3. A person who is appointed to a temporary or "acting" capacity to one of the positions identified in SECTION TWO, A., above, provided that appointment is for a limited term in order to give the person the opportunity to obtain required certification.

4. In the event a person has more than one position within the Borough and one position is DCRP mandated and the other is not, the person's salary shall be prorated between the positions to effectuate this ordinance.

5. Any Borough personnel eligible to be enrolled in or who becomes enrolled in the Police and Firemen's Retirement System.

C. Any person who is granted a pension or retirement allowance under any pension fund or retirement system established by the State of New Jersey, who chooses to participate in DCRP pursuant to N.J.S.A. 43:3C-3 upon being elected to public office.

D. To the extent any individual otherwise eligible for the DCRP is enrolled in the Teacher's Pension and Annuity Fund or PERS and is subject to the annual maximum wage contribution base for Social Security, that individual is eligible only for the excess compensation, if any over such maximum wage contribution.

SECTION THREE. Exclusion for PERS enrollees

The requirements for enrollment in the Defined Contribution Retirement Program set forth in this ordinance are not applicable to any of the following:

A. Any person appointed to a position with the Borough who has, at the time of appointment, been a member of PERS continually. Continually shall mean that the individual was a member of PERS prior to July 1, 2007, and for whom a period of no more than two years has elapsed from the time the individual left prior to employment in the PERS position to the time of appointment by the Borough.

B. Borough Personnel who are members of PERS who are promoted to a position defined as requiring DCRP enrollment, except that an individual hired in a PERS position with the intention of circumventing the DCRP requirements, shall not be eligible to remain in as a PERS enrollee rather than DCRP.

SECTION FOUR. Categorical Exclusions

The following persons shall not be eligible to participate in DCRP:

A. A person's base salary for that employment, office or position is less than \$1,500.00 per year.

B. The person is eligible by virtue of the position in question, for enrollment as a member of another State or locally administered pension fund or retirement system established by the State, unless otherwise mandated by this ordinance to participate in DCRP.

C. The person is receiving a benefit as a retiree from any other State pension fund or retirement system, unless they elect to participate in DCRP pursuant to N.J.S.A. 43:3C-3.

D. The person is ineligible for membership in PERS by virtue of being a person appointed by a profession services resolution.

SECTION FIVE. Waiver of Participation

The following persons may waive participation in DCRP:

A. Any person whose base salary is less than \$5,000 may, at the commencement of service in a particular employment, office or position, may irrevocably waive participation with regard to that employment, office or position by filing the forms required by the State of New Jersey.

B. Any person eligible to participate by virtue of Section 2, Item D, may elect to waive participation with regard to that particular employment, office or position by filing, when first eligible, the form required by the State of New Jersey. This shall not be irrevocable, and the person can elect to participate thereafter, by

filing the required form, which election shall commence on January 1 following the filing of the election to participate.

SECTION SIX. Identification of Positions Subject to DCRP

Subject to the foregoing exception, exclusions and waivers, the following positions within the Borough shall be deemed to be within the requirements for DCRP participation:

Borough Administrator

SECTION SEVEN. 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.

SECTION EIGHT. 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.

BE IT FURTHER ORDAINED this ordinance shall take effect upon final adoption and publication in accordance with applicable law.

The foregoing Ordinance was approved for adoption and publication by the following Roll Call Vote:

AYES: Farrell, Niemeyer, Bogan, Fetzer, Bonacci

NAYS: None

ABSTAIN: None

ABSENT: None

NEW BUSINESS

Mayor Clemmensen read the following letter:

Dear Mayor and Members of the Council:

The Sea Girt Republican Committee would like to present the following three names for your consideration in filling the unexpected term of Councilwoman Anne Morris. The resignation of Mrs. Morris was effective on June 9, 2008.

1. Thomas Crawley
2. Vicki Brown
3. Lora Mulligan

Please notify us of your selected choice in accordance with state statute.

Respectfully submitted,

Joseph P. Connellan, Chairman
Sea Girt Republican Committee

Ordinance 11-2008 Ordinance Establishing a Towing Service Rotation Program and Towing Service Fee Schedule was tabled until October due to the State making changes on the law in the fall.

COUNCIL REPORTS

Councilman Bogan asked Mr. Freda to give the beach report. Mr. Freda reported that today is day 19 or our 87 day season in terms of badges that are required and paying sales. There have only been 2 days so far when there has been rain and no sales. When we look at the daily, season and senior badge sales to-date:

Badges	2008	2007
Daily	5, 878	7,493
Season	4,684	4,595
Senior	317	273
The total revenue to-date:		
	2008	2007
	\$435,181	\$438,253

Mr. Freda stated that again this year the Monmouth County Regional Health Department has required them to implement a 24hr. rain provisional closure for North & Beacon Beaches when there is greater than one tenth of an inch of rain in a 24hr. period due to the outflow pipe at Wreck Pond and to-date the beach has been closed 4 days, Sunday, June 1st & 15th, Monday, June 16th & 23rd and in 2007 the beach was closed for a total of 22 days. Lifeguard update, only 5 rescues & 1 assist; minor first aid cases, 10 abrasions & 1 allergic reaction; first aid responses 13 & heat exhaustion 9. Mr. Freda also stated that the new hires are going through training this week and will finish up this week and test out and must pass before they can sit on the stands. All lifeguards will be recertified before the end of June in CPR, first aid and emergency first response and are part of the National USLA (United States Lifesaving Association) certifying agency of which there are only 5 in New Jersey. The Jr. Guards, ages 9-17, started this week and at present there are 100 enrolled with sessions on Monday – Wednesday or Tuesday – Thursday; there are 52 Mini Guards, ages 6-8, which starts the Friday after July 4th for the month of July; surf camp there are 10 signed up with people signing up everyday. On Monday, July 21st, which is a tentative date, they will host the Mid-Atlantic Jr. Lifeguard Championships at the Sea Girt Army Camp as they have done in the past where they have 600 competitors from 3 states, New Jersey, New York and Delaware. On July 23rd they will host the

29th Annual Kimberly McKnight Sea Girt Lifeguard Tournament at Chicago Boulevard Beach which starts a 6:00pm.

Councilman Bogan reported that Mr. Bunting was arranging a meeting with the environmental committee to go over Wreck Pond issues and that a draft plan for the overall water shed was being worked on that would address many of the issues of Wreck Pond from Wall to Sea Girt.

Councilman Fetzer reported that the Water Department has installed/replaced the 6th Avenue water under the borough's maintenance & repair contract. The water plant design is progressing and they hope to resubmit it to the DEP within 2-4 weeks so that we can keep on schedule for bidding in November/December. The NJ Water Supply Authority which Sea Girt is a member and has a contractual obligation to buy water at an average we take 40,000 gallons a day, 8,000 gallons a day more in the summer which is between April to October and 8,000 gallons less in the winter months. The Mayor has been appointed to the committee with the other local mayors to go over and discuss any necessary contract modifications and proposed capital programs. The borough's contract with the NJ Water Supply Authority expires in 2012. Councilman Fetzer reported that the Fire Department, since the last report on June 9th there have been 5 additional calls and the new engine is in place and its first call was the house that was struck by lightning on Chicago Boulevard.

Councilman Bonacci reported, Personnel/Administration: that the performance standards were reviewed by Mr. Ruderman our labor attorney and everything is in good order and we will be submitting it in the form of a resolution at the next council meeting. They are in the process of reviewing the entire personnel manual and all the resolutions and ordinances on record and an education policy was recently drafted, submitted and approved for all non-union employees of the Borough. They began the implementation of the strategic plan, which started about a week or two ago, and to summarize, we have a vision of what the government should be doing, mission statement, values, objectives short & long term and some of the categories or topics are government processes, structure, communications, accountability, comprehensive planning as it pertains to open space & land use, infrastructure, public safety, economic development, community esthetics, environmental issue and historical preservation. Mr. Bunting convened a number of people and put a committee together to start getting feedback from different areas of town which we hope to have the first draft by October.

Councilman Farrell reported, Recreation: that the summer recreation program has 93 kids signed up, expect another 50 or so when recreation starts 6/30/08 and we have 14 resumes in to consider for our unfilled full time recreation director position.

- Budget and Finance, our auditor has asked for an extension- needs to reconcile 2007 general ledger, CFO and Borough Administrator are up to speed and assisting the process and utilities costs are rising and we are taking conservation measures.

- SMRSA, the Sea Girt pump station is in the design phase- CME Associates is doing the work-schedule coming in July. Refunds for bad meter reads are going to be paid over 2 years. Total is \$ 255,278- \$ 161,796 to Manasquan and \$ 93,481 to Brielle. SMRSA audit is complete- financial condition is strong and policies are very sound. Recommendations to segregate duties in the office are being considered. Considering upgrades to the micro turbine. Currently have a 30 kw micro turbine but produce enough methane gas from the digester for at least 90 kw. 30 kw micro turbine saves the SMRSA \$ 4000 per month and the goal is to increase savings to at least \$ 12,000 per month. This is being done to counter increased costs of 1) petrochemicals, 2) sludge removal and 3) utilities.

Councilman Niemeyer reported on streets; New York Boulevard is finished and we are preparing bids for First Avenue between Trenton & Sea Girt Avenue which includes Neptune, Stockton & Seaside and the bidding should be finished sometime by the end of the summer to complete the work in the fall. We have a \$160,000 NJDOT grant to do the work and we are going to update our long range plans as to what roads come next.

- Public Works, we spent some money on the new basketball courts at Route 71 and Crescent and part of that contract called for a guardrail which will be put on the inside of the sidewalk next to the fence. Because part of it is on Route 71 we need to get a permit from the State and have to go by the State specifications, but we do not need a guardrail like they have on the side of the road for this area because the traffic is coming the opposite way and the cost of the job the way the State originally wanted it done was going to cost between \$22,000 - \$25,000. The engineers are working with the State and they look like they can get a waiver on certain types and we can probably get this job done for between \$12,000 - \$15,000.
- Police report from Captain Conway is for the time period of June 11- June 24, 2008, the police department handled a total of 438 calls as follows:
 - 56 Motor Vehicle Stops were conducted, resulting in 17 summonses being issued, and 1 DWI arrest being made
 - 47 Business/Building Checks were conducted
 - 18 Parking Complaints were investigated, resulting in 12 summonses being issued
 - 14 Borough Ordinance violations were investigated; resulting in 6 summonses being issued
 - 12 Burglar Alarms were investigated
 - 10 Motor Vehicle Accidents were investigated
 - 10 First Aid Calls were responded to (Manasquan First Aid Squad responded all of these calls)
 - 6 Fire calls were responded to
 - 8 Noise Complaints were investigated, resulting in 1 summons being issued

- 3 Adult subjects were arrested in 2 separate incidents, resulting in a total of 8 criminal charges being filed
- 2 Domestic Violence Incidents were reported, resulting in 1 arrest for Assault

Mayor Clemmensen wanted to comment on the roads and that he is in receipt of a letter date June 20, 2008 which was accompanied by a petition regarding Third Avenue between Beacon & The Terrace. He went out there yesterday afternoon and tried to figure out what happened, because if you look at Third Avenue to the South up to that point was paved and new curbing was put in and he hasn't researched it enough to know why it didn't continue but all he knows is that it needs to be fixed and he's asked the Administrator to look into it to see what can be done along with Council President Niemeyer and see what we can do to bring that forward. Mr. Bunting stated that he has already met with Public Works and the CFO and they have deemed it an emergency with your concurrence. Councilman Niemeyer offered a reason for why that happened and it was because they had a mayor in the late 80's who really thought that Sea Girt started to the north at Beacon Boulevard and ended to the south at Washington Boulevard and started at the east at the ocean and ended to the west at the railroad tracks, so all projects that took place on every end street from Beacon Boulevard to The Terrace wasn't completed and we have a long range plan of when the streets are going to be done and they tried to get a referendum about 4-5 years ago to do all the streets at the same time but we were turned down, but the long range plans actually call for Third Avenue to be done next year.

R-122-2008 Resolution to Pay Bills

Council President Niemeyer offered and moved the following Resolution, Seconded, Councilman Farrell.

RESOLUTION R-122-2008

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 June 25, 2008 in total as follows:

CURRENT FUND	\$ 691,225.44
WATER / SEWER OPERATING FUND	\$ 94,896.28

BEACH OPERATING FUND	\$	93,078.13
GRANT FUND	\$	0.00
ANIMAL CONTROL FUND	\$	2.40
TRUST FUND	\$	0.00
GENERAL CAPITAL FUND	\$	19,072.34
WATER / SEWER CAPITAL FUND	\$	0.00
BEACH CAPITAL FUND	\$	0.00
RECREATION TRUST FUND	\$	1,025.83
UNEMPLOYMENT COMP. TRUST	\$	0.00

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

AYES: Farrell, Niemeyer, Bogan, Fetzer, Bonacci

NAYS: None

ABSTAIN: None

ABSENT: None

PUBLIC PARTICIPATION ON ANY SUBJECT

Mr. Cademarteri, 300 The Terrace, stated that he represented about 20 homeowners who have suffered with poor road conditions for over 10 years. He moved in there in 1998 and it looked the same and the former mayor promised that it would be done by 2007 and the street that comes closest to the shape that his is in is on Neptune between Seaside & First Avenue, which is why the petition was signed by all those people.

Ken Hauk, Baltimore Blvd., had concerns with school ending and recreation starting about traffic problems in the vicinity of Baltimore Park with double parking and the kids running around. He also had concerns that last year they had loud speakers going from 9:00 until Noon time on Saturdays during the summer. Mr. Farrell stated that the parking issue was mainly due to the basketball program which is not happening this year and that program had 48 teams and about 350 kids that were coming from out of town and being dropped off and they will look into the noise issue because they are not aware of any programs on Saturdays.

Mark Brown, New York Blvd, stated that he's here for the summer and has an issue with no ball playing on the beach. Councilman Bogan stated that they have had several complaints on the issue. Mr. Bunting stated that he has had a meeting with Mr. Freda on the issue and may have an answer to the issue and they are coming up with a draft to send to Mr. Brennan.

Mr. Buckley the Sea Girt Board of Education President announced that the Sea Girt Playground Dedication Fundraiser Event on August 16, 2008 and would like to extend the invitation to the Borough and Council.

Mr. Sadowski, New York Blvd., agreed with Mr. Browns comments on ball playing on the beach.

R-123-2008 Executive Session
Councilman Fetzer offered and moved the following Resolution, Seconded,
Councilman Bogan.

RESOLUTION R-123-2008

**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 June 25, 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 – NJ DEP Division of Fish & Wildlife
 - B. Litigation – NJ DEP

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 the following Roll Call Vote:

AYES: Farrell, Niemeyer, Bogan, Fetzer, Bonacci

NAYS: None

ABSTAIN: None

ABSENT: None

The council recessed into executive session at 9:00pm.

The council returned to open session at 9:15pm

OTHER BUSINESS

There was no other business before council.

ADJOURNMENT

Councilman Niemeyer offered and moved for adjournment at 9:20pm, Seconded, Councilman Fetzer. The motion was approved by voice vote and the meeting adjourned.

Mark E. Clemmensen
Mayor

Lauren Mayer
Acting Borough Clerk