

Regular Meeting □ August 13, 2008 □ Wednesday Evening □ 7:30pm

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

MINUTES August 13, 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 Clerk 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, absent, Raymond Bogan, present, Thomas Crawley, 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 Crawley asked that item B be removed from the Consent Agenda. Councilman Bonacci moved to remove item B, Seconded, Councilman Farrell. The motion was approved by unanimous roll call. Councilman Farrell offered and moved the following Consent Agenda, Seconded, Councilman Bogan.

A. R-125-2008 Authorize Amending Set Salaries

RESOLUTION R-125-2008

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

**A RESOLUTION AMENDING REGULATING THE SALARIES OF THE
EMPLOYEES OF THE BOROUGH OF SEA GIRT, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY AS FOLLOWS:**

BE IT ORDAINED, BY THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF SEA GIRT IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AS FOLLOWS:

SECTION 1. The annual salaries of the Borough Employees shall be respectfully set as follows:

	<u>SALARY</u>
ASST OFFICE CLERK TAX	50,852.69
WATER TECHNICIAN I	24,000.00

SECTION 2. The per session, season and hourly wages of Borough Employees shall be:

The following on an hourly basis:

LIBRARIAN	18.53 -20.00
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SECTION 3. The salaries and hourly wages as specified in Section 1, and Section 2 hereof shall be effective as of January 1, 2008 and shall continue in effect until amendment of this resolution.

B. R-133-2008 Authorize the creation of a Domestic Violence Response Team

RESOLUTION R-133-2008

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

**A RESOLUTION AUTHORIZING THE CREATION OF A DOMESTIC
VIOLENCE RESPONSE TEAM**

WHEREAS, the Borough of Sea Girt is required to establish or participate in an established Domestic Violence Response Team (DVRT) as required by N.J.S.A. 2C:25, and

WHEREAS, N.J.S.A. 2C:25 requires that such an agreement be authorized by resolution or ordinance, and

WHEREAS, Sea Girt, Spring Lake Heights, Lake Como and Belmar are the four remaining police departments in southern Monmouth County which do not have a DVRT, and

WHEREAS, it is determined that it would be in each of the departments best interests to combine the four departments into one DVRT, and

WHEREAS, a DVRT Affiliation Agreement has been drawn up and been agreed upon by all four departments.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, that the Sea Girt Police Department is authorized to enter into an agreement with Spring Lake Heights, Lake Como and Belmar for a shared Domestic Violence Response Team.

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

AYES: Farrell, Bogan, Crawley, Fetzer, Bonacci

NAYS: None

ABSTAIN: None

ABSENT: Niemeyer

APPROVE MINUTES

The council meeting minutes from 6-25-2008 & 7-23-2008 – Tabled until 9-10-08 meeting

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

There were no items discussed by Council.

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

Mayor Clemmensen opened the meeting to the public. Being there were no members of the public wishing to speak, the Mayor closed the meeting to the public.

OLD BUSINESS

Discussion of Temporary Recycling Center Year Relocation during Water Plant Construction

Councilman Fetzer reviewed the last meeting discussion. He stated that the recycling yard will be inaccessible for about 1 year during the construction and the current plan is to relocate a smaller yard minus the bulk waste and bush dumpsters south of the tennis courts across from the school. The hours would be worked with the Board of

Education as to not coincide with the arrival & departure of the students. The hours would probably be between 9:00am – 2:00pm during the week and are considering having extended hours on Saturday. Councilman Farrell asked them to consider moving the yard to the south end of the existing yard. Councilman Fetzer stated that they considered that location but it is very tight and they want to make sure they keep it contained and they had concerns with the interference with the students.

Councilman Bonacci gave a brief summary of the Employees Performance System.

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

R-132-2008 Authorize New Performance Appraisal

RESOLUTION R-132-2008

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

**A RESOLUTION AUTHORIZING THE CREATION OF AN
EMPLOYEES PERFORMANCE SYSTEM**

WHEREAS, The Borough Administrator has been tasked with creating a policy for evaluating the borough employees, and

WHEREAS, the Sea Girt Employee Performance System (EPS) shall be for all applicable Sea Girt Employees and is consistent with the JIF and the Borough Personnel Policies and Procedures Manual, and

WHEREAS, the EPS evaluation system emphasizes the importance of performance in several ways using periodic performance feedback, and

WHEREAS, the first is to provide a descriptive overview of duties, expected standards of performance and annual appraisal, and

WHEREAS, the second is to provide a reliable, long-term, cumulative record of performance and potential bases on that performance, and

WHEREAS, the third is to provide Borough leadership with a memorialized written record which provides a sound and fair basis to make future personnel decisions, and

NOW, THEREFORE BE IT RESOLVED, the Borough Council does approve of the following policy.

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

AYES: Farrell, Bogan, Crawley, Fetzer, Bonacci

NAYS: None

ABSTAIN: None

ABSENT: Niemeyer

NEW BUSINESS

Discussion of Plant Canopy Donation at Crescent

Philip Schwier, Shade Tree Commissioner, stated that several months ago he was approached by Aaron Aridgian of Environmental Landscape Design & he spoke with him about a gentleman on the ocean at 623, a Mr. Vasan, who wanted to do some plantings on the Borough property that is west of his home and that area is where the stone grave road parts and there's a center island and because the property lines on the ocean front end where the utility poles are located so everything towards the road is Borough owned property. Presently, in front of this residence there are many older pines & older trees that are either disfigured or in a later stage of life and many of the plantings on the center island are dead. The owner said he would like to make it more beautiful. So they met with Aaron and he came up with a design and then they met with Kevin Thompson to show him the design & the plants they wanted to use. Councilman Farrell has some questions regarding maintenance and watering. Environmental Landscape Design stated on a weekly basis in addition to maintaining Mr. Vasan's property they would maintain the island as well. Mr. Vasan stated that they would propose to install an irrigation system if it was approved by the Council and that he would perform all the maintenance. Mr. Schwier stated that Environmental Landscape Design would have no problem installing an irrigation system for the critical first years and that it would be put on timers. Mr. Brennan commented that there are some substantial legal hurdles that the Council would have to address before this could be addressed. An Ordinance would have to be created accepting the donation and the Council would also have to consider that this is the 3rd or 4th type of request that has been brought before the Council and his recommendation is that a uniformed policy be put into place as to how these are going to be addressed because to grant this and deny a neighbor is going to cause problems for everyone. Also the second part that has to be addressed on this is the on- going maintenance of whatever is installed there and the maintenance is the larger issue and there are legal means to address that, one being the formation of a not-for-profit or a trust fund. The public also was given an opportunity to ask questions and at that time Mr. Robinson, Brooklyn Blvd., asked if you need to go out to bid for work on public property and since that there is a higher level of maintenance in the beginning because plants are not established yet, could a maintenance bond be put up in the event that anything dies on the property. Mr. Brennan stated that it's not that simple and that this was a donation and you only have to go out to bid if the Borough is commissioning work to be done. Also he would have to look into the bond issue

but it would be the Borough's responsibility unless there's an additional agreement entered into regarding maintenance and replacement of plants. Environmental Landscape Design commented that they would provide a 1 year guarantee on all the plants.

COUNCIL REPORTS

Councilman Farrell reported, Recreation:

- The summer recreation final report had 165 kids signed up the day recreation started, they had an additional 20 more after that and on a daily basis they were excepting anywhere between from 20-40 people and overall the summer recreation program was a success and thanks to Mr. Bunting some safety issues with picking up the kids where addressed.
- The Sea Girt 5 K had its most successful run this year. The race has grown over the last three years. This year there were 1,826 runners as compared to 1,143 in 2006.
- Sea Girt's Family ClamBake is scheduled for September 7th between 5:00pm – 8:00pm. The soda & water are donated again by Egan's Liquors.
- The tennis courts at Bell Place have been shut down this year due to a professional opinion that was obtained that the cracks are too big for playing. The courts will be out of commission for this summer and next summer, also that space will be utilized during the water plant construction. They are working on plans for the summer of 2010 to redo the courts in some recreational way whether it will be two (2) tennis courts or one (1) tennis court with something else.

SMRSA – There is meeting tomorrow night where they will get an update on the design & schedule of the Sea Girt Pump House.

Councilman Bonacci reported, Personnel/Administration:

- He had a meeting with Mr. Bunting and Mike Adams on RIM (Records Infrastructure Support) and how the PARIS grants would enable the Borough to pay for the implementation of the RIM program. A resolution was passed some time ago with the Borough in this shared services program. One of the preconditions was that a needs assessment be done which was done in December 2007 and approved January 2008 by the SRC. We are eligible for \$50,000.00 in funding for this. This project will computerize all the Borough's records with a crisis back up to Monmouth County and a remote location in Cedar Knolls, NJ, 50 miles away. In 2009-2010, Sea Girt can move forward for additional grant money of \$200,000.00 which is assuming that the funding is continued. At the end of this month we will get clear idea on exactly how the program will work.

Councilman Bogan reported on the Wreck Pond meeting that was held yesterday and briefly went over what was covered. The Baltimore Blvd. outflow was tested by the

Monmouth County Health Department and they had minimal readings but the DEP found higher readings and they would like the Borough to do a smoke test of the sewer system to see if the sewer is leaking into the Stormwater. The Borough had previously worked with the DEP, Peter Avakian and Kevin Thompson and did a camera test of the system and had not found any source. The Monmouth County Health Department doesn't think there is a source to be found because they couldn't get the readings that the DEP got however the DEP will be pushing to do the smoke test. The Environmental Committee is reviewing a draft plan for the Regional Stormwater Management Plan for debris going into Wreck Pond.

Councilman Bogan asked Mr. Freda to give the beach report. Mr. Freda reported the following:

Day 68 in an 87 day season completed
Rain Days/No Sale Days for Daily Badges to Date = 7 day.

2008 Badge Sales Update: (as of the end of 8/11)

Dailies sold to date = 28,798
Seasons sold to date = 5307
Seniors sold to date = 387

Total Revenue including all fees + bath house lockers, kayaks, catamarans =
\$643,587.00

In Comparison to 2007

Dailies sold to date = 31,615
Seasons = 5127
Seniors = 327

Total Revenue including all fees + bath house lockers, kayaks, catamarans =
\$647,945.75

Again this year we will be implementing the Wreck Pond 24-hour Rain Provisional Beach Closure Policy

North Beach-Beacon/Wreck Pond 24 Hr Rain Provisional Beach Closure Policy

Due to >.1inch of rain the day/night before North Beach/Beacon Beach will be closed on the ensuing day as a precautionary measure. To date North Beach/Beacon Beach has been closed 12 days to date as follows:

Sunday 6/1	.21 inches of rain/24hrs on Saturday night 5/31
Sunday 6/15	.8 inches of rain/24hrs on Saturday night 6/14
Monday 6/16	.1 inches of rain/24hrs on Sunday night 6/15
Monday 6/23	.34 inches of rain/24hrs on Sunday night 6/22
Saturday 6/28	.32 inches of rain/24hrs on Friday night 6/27
Monday 6/30	.18 inches of rain/24hrs on Sunday night 6/29

Saturday 7/5 .1 inches of rain/24 hrs on Friday night 7/4
 Sunday 7/6 .18 inches of rain/24 hrs on Saturday night 7/5
 Thursday 7/24 1.22 inches of rain/24 hrs Wednesday night 7/23
 Friday 7/25 1.12 inches of rain/24 hrs Thursday night 7/24
 Monday 7/28 .83 inches of rain/24 hrs Sunday night 7/27
 Monday 8/11 2.28 inches of rain/24 hrs Sunday night 8/10

In 2007 North Beach was closed 22 days during the season.

Again this year our water quality will be monitored by the Monmouth County Health Department.

Cooperative Coastal Monitoring Program/Water Quality

The Monmouth County Health Department Regional Health Commission #1 samples the Terrace, Beacon, New York, and Neptune beaches every Monday. Incubation period is 24 hours for cultures. If bacterial levels are elevated we are notified the next day. If levels exceed the standard for two consecutive days the bathing beach is closed. The beach will remain closed until subsequent daily monitoring indicates that the bacterial level is below the threshold for closures. The enterococcus bacterial level standard is 104 per 100 ml of sample.

To date all testing readings have been well below the standard of 104 per 100ml.

5/27/2008	CCMPMC1072	Sea Girt	Beacon in Sea Girt	< 10
5/27/2008	CCMPMC1062	Sea Girt	Neptune	10
5/27/2008	CCMPMC1082	Sea Girt	New York	< 10
6/2/2008	CCMPMC1072	Sea Girt	Beacon in Sea Girt	< 10
6/2/2008	CCMPMC1082	Sea Girt	New York	< 10
6/2/2008	CCMPMC1067	Sea Girt	The Terrace in Sea Girt	< 10
6/9/2008	CCMPMC1072	Sea Girt	Beacon in Sea Girt	< 10
6/9/2008	CCMPMC1062	Sea Girt	Neptune	< 10
6/9/2008	CCMPMC1082	Sea Girt	New York	< 10
6/9/2008	CCMPMC1067	Sea Girt	The Terrace in Sea Girt	< 10
6/16/2008	CCMPMC1072	Sea Girt	Beacon in Sea Girt	10
6/16/2008	CCMPMC1062	Sea Girt	Neptune	10

6/16/2008	CCMPMC1082	Sea Girt	New York	20
6/16/2008	CCMPMC1067	Sea Girt	The Terrace in Sea Girt	10
6/23/2008	CCMPMC1072	Sea Girt	Beacon in Sea Girt	10
6/23/2008	CCMPMC1062	Sea Girt	Neptune	10
6/23/2008	CCMPMC1082	Sea Girt	New York	10
6/23/2008	CCMPMC1067	Sea Girt	The Terrace in Sea Girt	20
6/30/2008	CCMPMC1072	Sea Girt	Beacon in Sea Girt	< 10
6/30/2008	CCMPMC1062	Sea Girt	Neptune	< 10
6/30/2008	CCMPMC1082	Sea Girt	New York	< 10
6/30/2008	CCMPMC1067	Sea Girt	The Terrace in Sea Girt	< 10

07-Jul-08	<10	CCMPMC1082	NEW YORK AVE	SEA GIRT
07-Jul-08	<10	CCMPMC1081	BALTIMORE AVE	SEA GIRT
07-Jul-08	<10	CCMPMC1062	NEPTUNE PLACE	SEA GIRT
07-Jul-08	<10	CCMPMC1067	THE TERRACE	SEA GIRT
14-Jul-08	10	CCMPMC1082	NEW YORK AVE	SEA GIRT
14-Jul-08	<10	CCMPMC1081	BALTIMORE AVE	SEA GIRT
14-Jul-08	<10	CCMPMC1067	THE TERRACE	SEA GIRT
14-Jul-08	10	CCMPMC1072	BEACON BVLD	SEA GIRT
21-Jul-08	<10	CCMPMC1062	NEPTUNE PLACE	SEA GIRT
21-Jul-08	10	CCMPMC1067	THE TERRACE	SEA GIRT
21-Jul-08	<10	CCMPMC1072	BEACON BVLD	SEA GIRT
28-Jul-08	10	CCMPMC1067	THE TERRACE	SEA GIRT
28-Jul-08	10	CCMPMC1072	BEACON BVLD	SEA GIRT
04-Aug-08	<10	CCMPMC1082	NEW YORK AVE	SEA GIRT
04-Aug-08	<10	CCMPMC1081	BALTIMORE AVE	SEA GIRT
04-Aug-08	<10	CCMPMC1067	THE TERRACE	SEA GIRT

Information pertaining to the weekly levels for all monitored beaches in the County can be found on the web at www.state.nj.us/dep/beaches/mc.html.

Lifeguard Update:

To date:

Rescues: 147

Assists: 181

First Aid Cases/Misc

Abrasions 42

Allergic rash 14

Arrests 0

Coast Guard Assist 0

Contusions 12

Eye Injury 1

Fight on Beach 0

First Aid Response 20

Heat Exhaustion 11

Hit by Umbrella 2

Insect Bites 58

Lacerations 66
MVA 0
Neck and Back Injuries 3
Police Assist 9
Pre Season Rescues 0
Splinter 8
Unconscious 3
Use of Oxygen 4
Dislocations/fracture 3

Lifeguard Tournament Update:

Results to Date:

Belmar Lifeguard Tournament 2nd place
Avon Lifeguard Relays 1st place
Manasquan Lifeguard Tournament 1st place
Ocean Grove Lifeguard Tournament 1st place
Bradley Beach Lifeguard Tournament 2^{cd} place
Sandy Hook Lifeguard Tournament 5th place
Island Beach Lifeguard Tournament 5th place
NJ State Championships at Ship Bottom 6th place
Spring Lake Invitational 2nd place

Selected Lifeguards competed in the USLA National Lifeguard Competition August 6-10th in California.

Results: Monmouth County finished 2nd overall to LA County, California
Participating on the National Team from Sea Girt Beach Patrol were: Jay Amberg, Billy Medler, Dave Warren, Lauren Pfeifer, and Dr. Mike Barrows

Barrows - won multiple age group events, Amberg took two third places, and Pfeifer made the finals in each of her events. Congratulations to all for a great job representing Sea Girt on the Monmouth County Team.

Sea Girt is a National USLA (United States Lifesaving Association) certified agency.

All Lifeguard training CPR/First Aid/USLA re-certification for 2008 Beach Season has been completed.

Gateguard and Staff training and awareness in coordination with Sea Girt PD regarding Child Abduction has been completed

2008 Jr Lifeguard Update:

The Junior Lifeguard and Mini-Guards Programs have been completed. Surf Camp Programs are running through August 23rd.

Jr Lifeguard cost per session \$100
Mini-guard cost \$50.00

This year we had enrolled 119 junior guards, 81 minis and 45 surf camps.

On Monday July 21 we hosted the Mid-Atlantic Jr. Lifeguard Championships at the Sea Girt Army Camp with approximately 600 competitors from three states, NJ, NY, and DE.

Our Surf Camp will run from July 13 through August 23 and will have three sessions. The cost is \$100.00 for five 1-1/2 sessions. Go to our website www.SGBP.org for further details and registrations forms.

Chief Sidley reported that the Police Department has had calls regarding the fox and he had been in contact with the DEP on this and if anyone has any questions they can go to the DEP Fish & Wildlife website. The response from the DEP is if the fox look sick or injured call otherwise they belong there. They have dens at the NGTC so the best thing to do is to not leave food out for your pets or any animals, walk away from the animals and don't go near them.

Councilman Crawley had no reports.

Councilman Fetzer reported, Water Department:

- That they are well into the permit process (85-90% complete) and we have a permit pending and are hoping that it will be issued in December or January and this is the permit that is holding up the bidding process. Funding on the project; they have experienced an increase in the contaminants in the ground water and this has forced them to use the stripping tower more which they were hoping to take off line and was not included in the new plant design.
- Water Conservation: thank you to everyone in town for their voluntary cooperation, we experience emergencies here during the summer, and it's been exasperating this summer. The water is up significantly this summer and we are using 100,000 gallons more a day this summer than the past summers. The water usage in the winter is normally 300,000 gallons, 500,000 weekdays in the summer and 600,000 weekends in the summer. This summer it was 600,000 weekdays and 700,000 weekends this summer which has pushed us to our limit in our permit from the DEP and we are allowed to pump 17.5 million gallons a month. This past July we pumped 17.4 million gallons so we have asked the Fire Department and the NGTC to conserve water.
- Water Storage Tank: The Borough tries to have the tank inspected every 5 years and we will be putting out a proposal within the next month or so to have an authorized tank inspection done after the summer.

Councilman Fetzer had no report this month on Building & Grounds.

Mayor Clemmensen let everyone know that there was a book signing at the library tomorrow night at 5:00pm, the playground dedication ceremony is on Saturday at 11:00am at the school and the Sand Castle competition is on August 21st at 9:00am and the judging will start at 10:00am.

R-134-2008 Resolution to Pay Bills

RESOLUTION R-134 -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 August 13, 2008 in total as follows:

CURRENT FUND	\$	1,300,454.65
WATER / SEWER OPERATING FUND	\$	24,303.85
BEACH OPERATING FUND	\$	6,984.43
GRANT FUND	\$	0.00
ANIMAL CONTROL FUND	\$	0.00
TRUST FUND	\$	0.00
GENERAL CAPITAL FUND	\$	0.00
WATER / SEWER CAPITAL FUND	\$	104,566.88
BEACH CAPITAL FUND	\$	0.00
RECREATION TRUST FUND	\$	4,291.43
UNEMPLOYMENT COMP. TRUST	\$	0.00

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

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

AYES: Farrell, Crawley, Bonacci

NAYS: None

ABSTAIN: Fetzer-Hatch Mott McDonald, Bogan-Jaeger Lumber

ABSENT: Niemeyer

PUBLIC PARTICIPATION ON ANY SUBJECT

Ed Robinson, Brooklyn Blvd., commented on an article in the NY Post regarding the piping plovers.

R-135-2008 Executive Session
Councilman Farrell offered and moved the following Resolution, Seconded,
Councilman Bogan.

RESOLUTION R-135-2008

**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 August 13, 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 & US Fish & Wildlife
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, Bonacci

NAYS: None

ABSTAIN: None

ABSENT: Niemeyer

The council recessed into executive session at 9:40pm.

The council returned to open session at 11:55pm

OTHER BUSINESS

There was no other business before council.

ADJOURNMENT

Councilman Fetzer offered and moved for adjournment at 11:56pm, Seconded, Councilman Bonacci. The motion was approved by roll call and the meeting adjourned.

Mark E. Clemmensen
Mayor

Lauren Mayer
Acting Borough Clerk

DRAFT