

Regular Meeting □ September 10, 2008 □ Wednesday Evening □ 7:30pm

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

**MINUTES September 10, 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.

A Moment of Silence was observed for 9/11 (7<sup>th</sup> year anniversary)

**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, present, 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 Bogan offered and moved the following Consent Agenda, Seconded, Council President Niemeyer.

A. R-136-2008 Authorize Signatories for Borough Checks

**RESOLUTION R-136-2008**

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

**RESOLUTION AUTHORIZING  
SIGNATORIES ON BOROUGH'S  
BANK ACCOUNTS**

**BE IT RESOLVED**, by the Council of the Borough of Sea Girt that the following Town Officials are hereby authorized to sign checks or withdrawal slips where combinations of three principal signatures are required:

Mr. John E. Barrett  
Mr. Alan C. Bunting  
Mayor Mark E. Clemmensen

**NOW, THEREFORE BE IT RESOLVED**, that the signature cards with the signatures of the persons authorized to sign be forwarded to Wachovia Bank and Commerce Bank.

B. R-137-2008 Authorize Hiring of Fire Official

**RESOLUTION R-137-2008**

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

**RESOLUTION APPOINTING FIRE OFFICIAL  
BRET NIELSEN**

**WHEREAS**, the Borough of Sea Girt is in need of a Fire Official, and

**WHEREAS**, the Borough Administrator has conducted interviews and has made his recommendation to the Governing Body to hire Bret Nielsen, and

**WHEREAS**, the annual salary shall be \$1,500.00 for 2008 (prorated), and

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

**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 Bret Nielsen to the position of Fire Official effective September 1<sup>st</sup>, 2008.

C. R-138-2008 Authorize Hiring of New Recreation Directors

**RESOLUTION R-138-2008**

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

**RESOLUTION TO HIRE RECREATION DIRECTORS  
PATRICIA PETERSON & PAUL BRENNAR**

**WHEREAS**, the Borough of Sea Girt is in need of a Seasonal Recreation Director and Summer Recreation Camp Director, and

**WHEREAS**, the Borough Administrator has conducted interviews for the Seasonal Recreation Director and has made his recommendation to the Governing Body to hire Patricia Peterson for the time period of August 26, 2008 – May 15, 2009, and

**WHEREAS**, Paul Brennar ran the summer recreation programs this summer and would like to continue to run the summer programs for the Borough,

**WHEREAS**, Patricia Peterson and Paul Brennar are to be considered seasonal part-time employees of the Borough and therefore not entitled to the benefits afforded full-time permanent employees.

**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 does hereby confirm the hiring of Patricia Peterson to the position of Seasonal Recreation Director and Paul Brenner to the position of Summer Recreation Camp Director at a rate of \$22.00 per hour.

D. R-139-2008 Authorize Acceptance of 2007 Audit Report

**RESOLUTION R-139-2008**

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

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year 2007 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”, and,

**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the governing body attached hereto; and,

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE BE IT RESOLVED**, that the Borough Council of the Borough of Sea Girt, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

E. R-140-2008 Authorize Disagreement of COAH III

**RESOLUTION R-140-2008**

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

**A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF SEA GIRT  
OPPOSING THE THIRD ROUND AFFORDABLE HOUSING RULES AS ADOPTED  
BY THE COUNCIL ON AFFORDABLE HOUSING**

**WHEREAS**, on December 17<sup>th</sup>, 2007 the New Jersey Council on Affordable Housing (COAH) voted to propose its revised third round regulation in response to the Appellate Court decision of January 25, 2007; and

**WHEREAS**, on May 6, 2008, COAH voted to adopt the rules, with minor clarifications, as N.J.A.C. 5:96 (Procedural Rules) and N.J.A.C. 5:97 (Substantive Rules);

**WHEREAS**, the revised rules became effective June 2, 2008; and

**WHEREAS**, as has been plainly established over the past few years, New Jersey is in the midst of a major fiscal and tax crisis, and the State government and municipal governments throughout the State are struggling to maintain government services while not increasing already substantial tax burden on its citizens and businesses; and

**WHEREAS**, on top of those already substantial economic and tax issues, over the past year there has arisen a major crisis in the housing market, with housing prices either stagnating or falling and many of the builders in the State being thrust into serious financial difficulties due to lack of demand for housing in the existing economic climate; and

**WHEREAS**, with those two economic situations and realities in place, the COAH rules and standards will clearly create enormous additional burdens and expenses to municipalities, will substantially increase and additionally effect the already sensitive “free market” cost of new “non-affordable” housing units, increase the tax burden to municipalities and their taxpaying residents, will mandate additional new development densities that will be environmentally detrimental and negatively effect change in character of many communities and neighborhoods and will discourage or preclude the rehabilitation of existing housing units by raising the cost of RCA units to unaffordable prices, and

**WHEREAS**, the revised rules will have a negative impact upon economic development within the Borough of Sea Girt as well as within the State of New Jersey; and

**WHEREAS**, under the revised rules, many municipalities are being required to plan an affordable housing based upon growth which is unlikely to occur, since COAH used a flawed approach in calculating prospective growth; and

**WHEREAS**, under the revised rules the large retroactive obligation will serve to undermine prior compliance efforts, requiring property taxpayers to suffer a higher tax burden; and

**WHEREAS**, under the revised rules residential development generating such a high growth share obligation will create a shortfall that must be paid by property tax payers, since neither the

proposed mandatory development fees, or the proposed payments in lieu of constructing affordable units are insufficient to pay for municipal construction of units, since the proposal understates construction costs and overstates the average sale price of units; and

**WHEREAS**, under the revised rules the cost of regional contribution agreements which have increased to at least \$67,000 per unit with no commensurate funding source, will create a devastating effect upon this statutorily recognized compliance mechanism, which will harm rural, suburban and urban municipalities alike; and

**WHEREAS**, under the revised rules economic development will be negatively impacted by unreasonable growth share ratios; and

**WHEREAS**, the elected leaders of this State the Governor and legislative branch should recognize these existing crisis's and that the COAH rules will further exacerbate severe fiscal/tax and housing market problems;

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Borough of Sea Girt in the County of Monmouth and State of New Jersey as follows;

1. The governing body implores the members of COAH and COAH staff to recognize that there is a limit to what municipalities and developers can be called upon to satisfy in terms of an affordable housing obligation.
2. That COAH reconsiders these regulations since, as adopted, they will have a negative impact upon economic development in the Borough and in the State as a whole and will financially over-burden our Borough taxpayers.
3. That a certified copy of this resolution be transmitted to Governor Jon S. Corzine, Senate President Richard J. Codey, Assembly Speaker Joseph J. Roberts, Jr., DCA Commissioner Joseph Doria, the members of the Monmouth County Legislative Delegation, The Monmouth County Board of Chosen Freeholders, the New Jersey State League of Municipalities and all the Monmouth County Municipalities for reference and information purposes.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

## **APPROVE MINUTES**

Council Minutes 6-25-2008, 7-23-2008 & 8-13-2008 Meeting

Councilman Crawley asked that the minutes be considered separately.

Council President Niemeyer offered and moved to approve the 6-25-2008 minutes, Seconded, Councilman Fetzler. The motion was approved by voice vote, with one abstention: Councilman Crawley.

Councilman Farrell offered and moved to approve the 7-23-2008 minutes, Seconded Council President Niemeyer. The motion was approved by voice vote.

Councilman Farrell offered and moved to approve the 8-13-2008 minutes, Seconded by Councilman Bogan. The motion was approved by voice vote, with one abstention: Council President Niemeyer.

**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**

There was no old business to discuss.

**NEW BUSINESS**

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

- A. R-141-2008 Authorize Hatch Mott McDonald the Agent for NJDEP Water Allocation Permit.

**RESOLUTION R-141-2008**

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

**WHEREAS**, the Mayor and Council of the Borough of Sea Girt are in need of additional professional engineering services for work associated with the renewal of the Borough’s Water Allocation Permit No. 5237 from the New Jersey Department of Environmental Protection as

outlined in the engineering proposal prepared by Mr. Eric C. Betz, P.E. of Hatch Mott MacDonald dated March 14, 2008; and

**WHEREAS**, the Mayor and Council of the Borough of Sea Girt hereby authorize Hatch Mott MacDonald to provide the professional engineering services as outlined in the proposal/letter dated March 14, 2008 in an amount not to exceed \$10,500.00 and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Sea Girt, County of Monmouth, State of New Jersey, that the firm of Hatch Mott MacDonald is hereby authorized to perform the above services as stated herein.

**BE IT FURTHER RESOLVED** that the Borough Administrator is hereby authorized to execute any work order agreements or regulatory compliance forms associated with this professional engineering project with Hatch Mott MacDonald.

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

AYES: Farrell, Niemeyer, Bogan, Crawley, Bonacci

NAYS: None

ABSTAIN: Fetzer

ABSENT: None

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

B. R-142-2008 Authorize Change Orders for New York Boulevard

**RESOLUTION R-142-2008**

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

**RESOLUTION AFFIRMING CHANGE ORDERS FOR IMPROVEMENTS TO NEW YORK BOULEVARD.**

**WHEREAS**, a contract was awarded to A. Montone Construction in the amount of \$438,960.58 in connection with the Improvements to Brooklyn Blvd. contract, and

**WHEREAS**, the Borough Council must affirm and approve the following changes orders, and

**WHEREAS**, it is necessary to provide a complete list of change orders reduced to writing in the form of a resolution, and

**WHEREAS**, these change orders are approved as follows:

- A. Change Order #1, this contract change is a result of changes in quantities and results in a net change of price as an additional amount of \$725.26, making the new total of the contract \$439,685.84.
- B. Change Order #2, this contract change is a result of changes in the quantities and results in a net change of price as an additional \$2,500.00, making the new total of the contract \$442,185.84.
- C. Change Order #3, this contract change is a result of changes in the quantities and results in a net change of price as an additional \$46,924.35, making the new total of the contract \$489,110.19.

**WHEREAS**, the amount of the contract for Brooklyn Blvd. Improvements shall be \$489,110.19, and

**WHEREAS**, the change orders and respective Resolution is available for inspection by the public at the Office of the Clerk of the Borough of Sea Girt.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Sea Girt, does hereby authorize the above change orders as presented by the Borough Engineer, Leon S. Avakian, Inc.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

C. Discussion of 5-4-8 Schedule

Councilman Bonacci stated that the Borough was looking to adopt a different schedule with the employees in Borough Hall and Department of Public Works. The suggested plan involves working eight (8) nine (9) hour days with one extra day off every two weeks. He stated that the government and the private sector use this type of schedule. He also stated that it would be a preliminary test until the summer to see how the schedule works. Mr. Brennan commented that more research may have to be done in regards to Public Works because they have a union and there may be contract and overtime issues with the proposed schedule. Mr. Brennan asked that all issues be addresses before considering this schedule.

Councilman Farrel offered and moved to Introduce the following Ordinance, Seconded, Councilman Crawley.

D. Ordinance 13-2008 Ordinance 13-2008 An Ordinance of the Borough Council of the Borough of Sea Girt, Monmouth County Authorizing the Acceptance of a Donation of Trees, Plantings and Funds for the Installation of Trees, Watering Source, Planting and Maintenance of the Trees and Plantings for a Period of Five Years.

Introduction

Public Hearing 9-24-2008

**BOROUGH OF SEA GIRT  
ORDINANCE 13-2008**

**AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF SEA GIRT, MONMOUTH COUNTY AUTHORIZING THE ACCEPTANCE OF A DONATION OF TREES, PLANTINGS AND FUNDS FOR THE INSTALLATION OF TREES, WATERING SOURCE, PLANTINGS AND MAINTENANCE OF THE TREES AND PLANTINGS FOR A PERIOD OF FIVE YEARS**

**WHEREAS**, Philip and Tina Vasan, prospective Donors, have offered the Borough Council of the Borough of Sea Girt a donation of trees and plantings, and the funds necessary for the installation of the trees and plantings, installation of an irrigation system and maintenance of the trees and plantings for a period of five years, said trees to be located on public property in Crescent Park, Block 9, Lot 22 on the Borough Tax Map, in accordance with a landscaping plan dated April 28, 2008, revised August 13, 2008 by Environmental Landscape Design, LLC; and

**WHEREAS**, the Borough Council is authorized under N.J.S.A. 40A:12-5(a) to acquire personal property by gift or donation through adoption of an ordinance; and

**WHEREAS**, the Borough Council is further authorized under N.J.S.A. 40A:11-13.1, in a manner consistent with N.J.S.A. 40A:5-29, to utilize funds gifted for the installation of donated trees and plantings, the construction of an irrigation system a well, and to provide for five years of maintenance of the trees and plantings in accordance with the written instructions of the Donor; and N.J.S.A. 40A:5-29; and

**WHEREAS**, the prospective Donor of the property, planting and maintenance services and funds seeks no consideration whatsoever for the donation; and

**WHEREAS**, the Borough Council has determined that the proposed gift of trees and plantings and the funds necessary for the planting, maintenance and installation of an irrigation system shall benefit the residents of the Borough of Sea Girt by the aesthetic improvement such donation shall provide; and

**WHEREAS**, the Borough Council and donor are presently finalizing details of the Agreement which will not change the essential terms as set forth in this Ordinance and which will be completed before passage of this Ordinance, at which point a Resolution will be adopted permitting the Borough to sign the finalized Agreement;

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

**SECTION 1.** Contingent upon a final written Agreement accepted between the Borough and the Donors, the Borough will accept the aforesaid donation of trees, plantings, landscape design services and the funds necessary for the planting, installation of an irrigation system, and maintenance of the trees for a period of five years, as set forth herein and more fully detailed in the final Agreement.

**SECTION 2.** Notwithstanding the Borough's acceptance of Donor's gift, Donors shall be required to comply with all applicable laws and ordinances in connection with any and all landscaping, driveway alteration or other proposed improvements to or work on the Borough property adjacent to Donor's lot located in the Borough of Sea Girt known as Lot 15 in Block 9, including but not limited to the requirements of the Shade Tree Commission, Ordinance 386 controlling the improvement of Borough owned property, Ordinance No. 372, Construction of Driveways in Crescent Park, requiring a permit from the Borough Construction official for the alteration of any driveway. Nothing in this ordinance shall constitute a waiver of any other Borough requirements applicable to the Donor's proposals in connection with Donor's property or the Borough property adjacent to Donor's property east of the Borough roadway located in Crescent Park.

**SECTION 3.** Nothing herein shall obligate the Borough to maintain the trees and plantings beyond the period expiring five (5) years from the date of the planting of the trees and plantings, or after the funds gifted for the purposes of maintenance have been spent, whichever occurs first. In no case will the Borough be required to expend Borough monies or provide Borough employees for the maintenance of said donation.

**SECTION 4.** If the provision of any article, paragraph, subdivision or clause of this Chapter shall be judged invalid by any court of Competent jurisdiction, such Order or Judgment shall not effect or invalidate the remainder of any such article, section, subsection, paragraph or clause and to this end, the provision of this Ordinance is hereby declared to be severable.

**SECTION 5.** All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 6.** This Ordinance shall take effect upon passage, publication and as required by law.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

**COUNCIL REPORTS**

Councilman Bogan reported, Beach:

- Final Beach Report:

**I. Beach Admission Receipts 2007 vs 2008**

<b>A.</b>	<b>Daily Badge Sales</b>							
		2007	41,508	X	\$7.00		\$290,556.00	
		2008	42,798	X	\$7.00		\$299,586.00	
	Increased Revenue	Increased	Revenue				\$9,030.00	
	Increased		Revenue				3.10%	
<b>B.</b>	<b>Season Badge Sales</b>							
		2007	<i>Regular</i>	5,132	X	\$70.00	\$359,240.00	
			<i>Senior</i>	327	X	\$50.00	\$16,350.00	
		<b>2007</b>	<b>Total</b>	<b>5,459</b>			\$375,590.00	
		2008	<i>Regular</i>	5,316	X	\$70.00	\$372,120.00	
			<i>Senior</i>	387	X	\$50.00	\$19,350.00	
		<b>2008</b>	<b>Total</b>	<b>5,703</b>			\$391,470.00	
	Increased Revenue						\$15,880.00	
Increased %						4.20%		
<b>C.</b>	<b>Daily Bath House</b>							
		2007	166	X	\$12.00 & \$15.00		\$1,908.00	
		2008	149	x	\$12.00 & 15.00		\$1,809.00	
	Deceased Revenue						\$99.00	
	Increased Revenue	Increase	%				5.10%	
<b>D.</b>	<b>Season Bath House</b>							
		2007	67	X	\$750.00		\$50,250.00	
		2008	67	X	\$750.00		\$50,250.00	
	Increased Revenue						\$0.00	
	Increased %						0.00%	
<b>E.</b>	<b>Total Revenues from Admission Fees and Other</b>							
		2007	<i>(reflecting shortages/ overages)</i>					\$727,932.25
		2008	<i>(reflecting shortages/ overages)</i>					\$742,902.00
	Increased Revenue						\$14,969.75	
	Increased %						2.00%	

**II. Additional Revenues**

<b>A.</b>	<b>Catamaran Storage Fees</b>						
		2007	6	X	\$150.00		\$900.00
		2008	9	X	\$150.00		\$1,350.00

	Increased Revenue %	Revenue		\$450.00
	Increased %			50.00%
<b>B.</b>	<b>Kayak Storage Fees</b>			
	2007	44	X	\$200.00
	2008	44	X	\$200.00
	Increased Revenue			\$0.00
	Increased %			0.00%

The 4<sup>th</sup> of July four-day period was virtually a washout this year as poor weather kept daily badge sales much lower in comparison to 2007. In 2007 there were 3538 dailies sold while in 2008 only 1110 dailies were sold. Provisional Closings: North Beach-Beacon Beach was closed 13 times this past season due to a tenth of an inch of rain in a 24 hr period. This is a decrease from 22 times in the 2007 season. In reality there were no days out of the 13 this season or 22 days last season where the bacterial levels actually exceeded the standard of 104 per 100 ml of sample. In 2006 North Beach was also closed 22 days for the season as per this policy. This season due to the earliest possible Labor Day on the calendar as September 1<sup>st</sup>, we kept lifeguards on duty through the week after Labor Day and the pavilion remained open. Lifeguards were also on duty the second weekend after Labor Day. This was met with a very positive response from patrons.

A portion of the Beach Departments budget is used for the ATVs, patrol trucks (one of which was donated) and lifesaving equipment. They did respond with mutual aid this season on August 24<sup>th</sup> during bathing hours to Spring Lake Beach to assist in the attempted rescue of a drowning victim. Our AED and suction was used on scene to help revive the victim during CPR. Unfortunately the victim was in the water too long and attempts to resuscitate failed. Tim Harmon, Todd Sudol, Art Harmon, Christine Bell, and Mr. Freda were on scene and provided assistance.

- The Beach Department received a notice from the Division of Wage & Hour Compliance – a notice of violation for meal periods for minors. When more information is obtained it will be provided.

Councilman Bogan also reiterated his statement at the last council meeting regarding the Baltimore Blvd. storm sewer and the enterococcus bacteria levels that the DEP found while the County Health Commission could not reproduce those numbers. The DEP may want the Borough to do a smoke test to see if there is a source to the bacteria levels.

The Mayor thanked the Sea Girt Lifeguards for their actions in response to Spring Lake on September 7<sup>th</sup>. They responded in a timely and professional manner.

Councilman Crawley reported, Borough Hall Study Committee, he read the following report:

The meeting was at the Borough Hall on Sept. 8, 2008 with myself, Administrator Bunting and Chief Ed Sidley, present. Prior to the meeting I had reviewed Administrator Bunting's file on Borough Hall

We discussed the general charge of the Committee, which as we understand it is to look at the current and anticipated facility needs at Borough Hall and develop recommendations for consideration by Mayor and Council by January '09.

Mr. Bunting had secured the needs reports submitted by department heads. These are being reviewed. Currently we are not under any remediation order or non-compliant status; therefore we are not in a crisis, but we can take a measured look and make recommendations.

Mr. Bunting has made interim plans to make some minor alterations and adjustments at Borough Hall to improve appearances and efficiency. These include a temporary wall at the rear of the courtroom area, re-organization of the desk area in the Town Clerk's office and fixing up a Mayor's office area among other things. The town has approved preservation of records electronically, which will allow for a more efficient use of current storage spaces in addition to better maintenance of records.

There are concerns about the use of the Court area, which in the past has also served as the Council meeting area. The issues include courtroom standards, especially for security and accessibility to the public. Currently, my understanding is that alternative, temporary court locations are under consideration but these won't address the fundamental problems with our building. However, if a permanent shared services court arrangement were to evolve, it would clearly impact our needs and discussions about the Borough Hall. I am unaware of a timeline for this decision.

It was agreed that at some point an architectural assessment would most likely be appropriate because infrastructure (electric, heat, insulation, ADA, technology, etc.), code and other issues must also be included in any recommendations for upgrades or renovations. I will explore pricing as will Mr. Bunting, who has already spoken to one vendor. This will make it possible for us to give a ball park assessment cost for future discussions.

At one time or another various plans have been discussed to move some Borough services to the Borough yard, explore renovations there, use other parts of the building, etc. Mr. Bunting has applied for a grant to fund an efficiency study. It might be possible to include use of some of these funds if awarded in a study of the use and needs of Borough Hall. As of now it is my understanding that no plan has been presented to and approved by the Mayor and Council.

We do need to try to address needs of the Departments there in the short run and to plan for the future.

Direction of the Committee

We plan to meet again **October 6, 2008 – 5pm** and hopefully include more members in the discussion.

We will get information about architectural assessment costs.

We will review the needs assessments presented by the Department Heads.

A report to the Mayor and Council will be made in October.

Councilman Fetzer reported, Fire Department: In August they had 7 calls and 2 so far in September. They are working on revamping their protocol for responding to potential fires at the Parker House and they have been practicing new ways to access the Parker House to fight fires.

Chief Harmon was informed by the Fire Marshal that Glen Foreman, a fallen Sea Girt fire fighter, will be inducted into the Fire Fighter's Hall of Fame on October 5<sup>th</sup> of this year.

Councilman Fetzer reported, Water Department: Due to the plume at the super fund site they've had to include an air stripper, which is larger than the existing one and wasn't originally included in the plans. The project will cost approximately \$300,000.00. The recycling yard location has been discussed and is still under discussion as to whether the location to the south will be the temporary location or if they can make it into a permanent structure. Since the plans have changed for the Water Plant so have the permit fees from the DEP. They now need an additional \$8,000.00. The consultant Hatch Mot MacDonald is expected to be at the October Planning Board meeting for any questions. The comment period for the CAFRA permit expired on August 25<sup>th</sup> and hopefully it will be issued in November, a month early than expected.

Councilman Farrell reported, Recreation:

- Soccer Clinic starts this Saturday and is from 9:00 – 10:30am for the next six Saturdays. Applications are still being accepted- \$25.00 per child.
- Organizing Flag Football is still being planned but it has not been determined if it will be in conjunction with another town
- The Clambake was a success and we enjoyed a beautiful day for the second year. A special thanks to the Police, Public Works and the Beach Crew. Also, thanks to Joe Egan for the donation of the drinks and thanks to the organizers Lora Mulligan & Mary Dougherty.
- The tennis courts on Bell Place have been closed for the season and they are working on ideas to replace one or both courts. They have looked at different locations to possibly build a new tennis court one being the land south of the existing tennis courts that could be utilized for the recycling center and a new tennis court. This is something to think about and being this would accommodate a new recycling area which would then have to move only once.

Councilman Farrell reported, SMRSA: The time schedule for the pump station on Sea Girt Ave. is in 2009. They would like to get together with the residents to review the final design of the station. They would like the final stages done by January or February 2009 with the project going out for bid in late spring and construction to start in September 2009 and completion in April 2010.

Mayor Clemmensen thanked Mr. Farrell for suggesting the Family Clambake Day for Sea Girt and the location.

Councilman Bonacci reported, Personnel/Administration:

- Update on RIMs – the end of month announcement on how the program is going to work was delayed and has been rescheduled for their meeting on September 11. There should be more information at the September 24<sup>th</sup> council meeting.
- Just a recap of what the Personnel Committee has been doing from July to present: They have been reviewing the Policies and Procedures Manual and they have completed the following:
  - Sea Girt Employees System

- Ethics Policy – Mr. Ruderman approved
- Harassment Policy – having a workshop on October 23 by Mr. Ruderman
- Discipline Policy
- Drug & Alcohol Policy
- Education Policy for non-union employees

Council President Niemeyer reported, Public Works: Last Thursday they received a notice of a storm coming our way and within 24 hours they had 4,000 feet of snow fence installed on the beach which they borrowed from the county. He commended Kevin Thompson and the Public Works employees for their efforts in responding so quickly.

Council President Niemeyer read the Police Report: The Sea Girt Police Department has handled 233 incidents in the first 10 days of this month. Of note were the following: 1 burglar alarm, 3 Borough ordinance violations, 3 Criminal Mischief Complaints, 33 door check entries, 12 First Aid Calls with Manasquan handling 10 calls and Spring Lake handling two. Additionally there were 2 fire calls, 1 motor vehicle accident, 8 parking complaints resulting in 4 summonses. There was one arrest during this time period.

A traffic alert reminder, there will be the Irish Festival this Saturday held at the National Guard training Center. This event has gained in popularity over the years and draws a large crowd.

Recently, the Borough activated its Citizen's Alert Notification for Tropical Storm Hanna. TS Hanna was scheduled to be in our area on Saturday September 6, 2008. On Friday, we sent out our notification. In 23 minutes, 8 seconds, 1770 calls were placed and 1588 were successful. Of the unsuccessful ones, most were operator intercepted. We will be individually contacting the failed calls over the next two weeks to hopefully correct these issues. Attached are three graphs illustrating the call campaign.

I would like to take this time to thank the men and women of the Police Department who worked tirelessly during the 36-hour period. I would also like to commend the Borough's Lifeguard staff as well as Department of Public Works for their outstanding performance as well. Although TS Hanna did not hit as hard as it could have, the Borough was well prepared for whatever mother nature threw our way.

Mayor Clemmensen commented that he has received positive feedback on the alert system and asks that council continue to get the word out to neighbors and residents to sign up. It's online and an easy form to fill out. Also, Tuesday he will be attending a Meet the Mayors at the Spring Lake Manor at 12:00pm which is sponsored by the South Monmouth Chamber of Commerce.

R-143-2008 Resolution to Pay Bills

## **RESOLUTION R-143 -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 September 10, 2008 in total as follows:

CURRENT FUND	\$	698,506.09
WATER / SEWER OPERATING FUND	\$	49,591.69
BEACH OPERATING FUND	\$	156,339.10
GRANT FUND	\$	0.00
ANIMAL CONTROL FUND	\$	0.00
TRUST FUND	\$	0.00
GENERAL CAPITAL FUND	\$	19,009.00
WATER / SEWER CAPITAL FUND	\$	0.00
BEACH CAPITAL FUND	\$	0.00
RECREATION TRUST FUND	\$	8,028.66
UNEMPLOYMENT COMP. TRUST	\$	0.00
PUBLIC ASSISTANCE TRUST 1	\$	500.00

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

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

### **PUBLIC PARTICIPATION ON ANY SUBJECT**

Don Laws, Stockton Blvd., complimented the Borough on safety and all they are doing. He also had a concern regarding the instructions down at the beach. They were moved from being on the boardwalk to down on the beach and a lot more bikes were on the boardwalk and his suggestion was to put a set of signs back on the boardwalk.

Travis Waltzack, raised at 402 Brooklyn, stated that he's a seasonal taxi driver and frequently taxis at the Parker House in the summer. He stated that something needs to be done with all the taxis that circle the Parker House and the safety issues.

**OTHER BUSINESS**

There was no other business before council.

**ADJOURNMENT**

Councilman Bogan offered and moved for adjournment at 8:45pm, Seconded, Council President Niemeyer. The motion was approved by roll call and the meeting adjourned.

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Mark E. Clemmensen  
Mayor

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Lauren Mayer  
Acting Borough Clerk