

Regular Meeting – March 11th, 2009 - Wednesday Evening – 7:30pm

BOROUGH OF SEA GIRT COUNCIL
Sea Girt Elementary School
Rt. #71 and Bell Place
Sea Girt, NJ

MINUTES

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.

Moment of Silence for communities in Alabama & the disaster in Germany.

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.

APPROVE MINTUES

Councilman Bogan offered and moved to approve the Special Meeting 1-14-2009 minutes, Seconded, Council President Niemeyer. The motion was approved by unanimous roll call. Councilman Fetzer only approved for the portion of the minutes where he was in attendance.

Council President Niemeyer offered and moved to approve the Special Meeting 1-20-2009 minutes, Seconded, Councilman Farrell. The motion was approved by the following Roll Call Vote:

AYES: Farrell, Niemeyer, Bogan, Crawley, Bonacci

NAYS: None

ABSTAIN: Fetzer

ABSENT: None

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

Council President Niemeyer offered and moved to approve the following Ordinance, Seconded, Councilman Bogan.

Ordinance 04-2009 An Ordinance of the Borough of Sea Girt, In the County of Monmouth, State of New Jersey, Authorizing the Purchase of Certain Water Treatment and Transmission Facilities and the Transfer of Title of Same to the South Monmouth Municipal Utilities Authority
Second Reading
Public Hearing

ORDINANCE 04-2009

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

**AN ORDINANCE OF THE BOROUGH OF SEA GIRT, IN THE
COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING
THE PURCHASE OF CERTAIN WATER TREATMENT AND
TRANSMISSION FACILITIES AND THE TRANSFER OF TITLE OF
SAME TO THE SOUTHEAST MONMOUTH MUNICIPAL UTILITIES
AUTHORITY**

BE IT ORDAINED, by the Governing Body of the Borough of Sea Girt, in the County of Monmouth and State of New Jersey, as follows:

Section 1. The Borough Council by this enactment authorizes the Borough of Sea Girt and appropriate Borough Personnel to undertake all actions necessary and appropriate to consummate the purchase of certain water treatment and transmission facilities (the “Purchased Facilities”) currently owned by the Monmouth County Improvement Authority in accordance with the terms and conditions set forth in the existing treated water purchase contract entitled “Manasquan Reservoir Water Treatment System Treated Water Purchase Contract” dated September 1, 1987 (the “Agreement”)

Section 2. The Borough of Sea Girt shall convey its proportionate interest in the Purchased Facilities to the Southeast Monmouth Municipal Utilities Authority which was previously created by enactment of a parallel ordinance of the existing Treated Water Purchasers under the Agreement.

Section 3. Should any section, paragraph, clause or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 4. This Ordinance shall take effect upon its passage and publication according to law.

The foregoing Ordinance was approved for Adoption & Publication by the following Roll Call Vote:

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

NAYS: None

ABSTAIN: None

ABSENT: None

NEW BUSINESS

Councilman Bonacci offered and moved to approve the following Resolution, Seconded, Councilman Bogan.

R-43-2009 Authorize Hiring of Special Law Enforcement Officer Class I

RESOLUTION R-43-2009

BOROUGH OF SEA GIRT COUNTY OF MONMOUTH STATE OF NEW JERSEY

RESOLUTION TO HIRE SPECIAL LAW ENFORCEMENT OFFICERS - CLASS I

WHEREAS, Chief Edward J. Sidley, Jr. has requested the hiring of Special Law Enforcement Officer Class I in order for them to attend the Monmouth County Police Academy, and

WHEREAS, the hiring of these officers has been anticipated in the 2009 Municipal Budget.

NOW, THEREFORE BE IT RESOLVED, that the following Officers are hereby appointed to the position of Special Law Enforcement Officer Class I:

1. Jeffrey Johnson, Point Pleasant, Jeffrey MacDonald, Point Pleasant, Kyle Early, Manalapan, Jerry Mecca, Jackson, Nicholas Whelan, Freehold
2. This appointment shall become effective March 13, 2009 at a pay rate of Special Law Enforcement Officer Class I - First Year.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

Council President Niemeyer offered and moved to approve the following Resolution, Seconded, Councilman Bonacci.

R-44-2009 Authorizing Monmouth County Pre-Disaster Mitigation Plan

RESOLUTION R-44-2009

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

**RESOLUTION AUTHORIZING MONMOUTH COUNTY PRE-DISASTER
MITIGATION PLAN**

WHEREAS the Borough of Sea Girt, NJ, has experienced natural hazards that result in public safety hazards and damage to private and public property;

WHEREAS the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;

WHEREAS the New Jersey Office of Emergency Management provided federal mitigation funds to support development of the Monmouth County Multi-jurisdictional All Natural Hazards Pre-Disaster Mitigation Plan;

WHEREAS this *Hazard Mitigation Plan* has been developed by the Mitigation Planning Committee;

WHEREAS this *Hazard Mitigation Plan* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

WHEREAS two public meetings were held on, July 17, 2007 and November 29, 2007, to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law,

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

1. The *Hazard Mitigation Plan* is hereby adopted as an official plan of Sea Girt Borough; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The Municipal Office of Emergency Management and the various Municipal Departments identified in the Plan are hereby encouraged to pursue implementation of the recommended high priority activities that are applicable to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Borough Council, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Municipal Office of Emergency Management is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Monmouth County Office of Emergency Management. The status reports shall be submitted by September 15th of each year.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

Councilman Bonacci offered and moved to approve the following Ordinance, Seconded, Council President Niemeyer.

Ordinance 05-2009 An Ordinance Amending and Supplementing Ordinance #313 Entitled "An Ordinance to Provide for the Licensing of Dogs, Prohibiting Their Running at Large in the Borough of Sea Girt, and Fixing Penalties for the Violation Thereof"

ORDINANCE 05-2009

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE
#313 ENTITLED “AN ORDINANCE TO PROVIDE FOR THE
LICENSING OF DOGS, PROHIBITING THEIR RUNNING AT LARGE
IN THE BOROUGH OF SEA GIRT, AND FIXING PENALTIES FOR
THE VIOLATION THEREOF”**

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

SECTION 1.

Section 3a. of Ordinance #313 is amended to read:

A person applying for a dog license and registration tag shall pay a fixed fee as stated in Section 2. of this Ordinance which includes the sum of one (\$1.00) dollar for the registration tag; twenty (\$0.20) cents for the Department of Health of the State of New Jersey Pilot Client Fund and three (\$3.00) dollars additional surcharge on all licenses issued for non-spayed and non-neutered dogs for the State Treasurer for the Animal Population Control Fund. Owners presenting a certificate signed by a licensed veterinarian certifying that their dog has been sterilized are exempt from the three (\$3.00) dollar surcharge; and said licenses, registration tags and renewals thereof shall expire on January 31st of each year. A late fee of five (\$5.00) dollars shall be assessed if a renewal fee is paid after March 31st.

Proof of Rabies Inoculation is required for issuance of a license and registration tag; Rabies Vaccination Requirement: N.J.S.A. 4:19-15-3a required that the duration of the immunity extends throughout at least the first ten (10) months of the twelve (12) month licensing period.

If the current registration tag is lost, the owner may secure a replacement tag upon payment of the fee of two (\$2.00) dollars and presentation of the current license certificate.

SECTION 2.

Section 8 of Ordinance #313 is amended to read:

The license fee is hereby fixed at twelve (\$12.00) dollars for spayed or neutered (altered) dogs and fifteen (\$15.00) dollars for non-spayed or non-neutered dogs.

SECTION 3.

All ordinances and parts ordinances inconsistent herewith are hereby repealed.

SECTION 4.

This ordinance shall take effect when passed and published

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

Councilman Bonacci offered and moved to approve the following Ordinance, Seconded, Councilman Bogan.

Ordinance 06-2009 An Ordinance Amending and Supplementing Ordinance #677 Entitled "An Ordinance Adopting the Cat Licensing Code of New Jersey Promulgated by the New Jersey State Department of Health and Establishing the Requirement for Licensing of Cats and the Fees Therefore and Providing for Fines and Penalties for the Violation thereof."

Introduction

Public Hearing 4-8-2009

ORDINANCE 06-2009

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE
#677 ENTITLED "AN ORDINANCE ADOPTING THE CAT LICENSING
CODE OF NEW JERSEY PROMULGATED BY THE NEW JERSEY**

**STATE DEPARTMENT OF HEALTH, AND ESTABLISHING THE
REQUIREMENT FOR LICENSING OF CATS AND THE FEES
THEREFORE AND PROVIDING FOR FINES AND PENALTIES FOR
THE VIOLATION THEREOF.”**

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

SECTION 1.

Section 3g, entitled “License Fee Schedule” is amended to read:

A person applying for a cat license and registration tag shall pay a fee of five (\$5.00) dollars for each spayed or neutered cat and eight (\$8.00) dollars for each non-spayed or non-neutered cat. Owners presenting a certificate signed by a licensed veterinarian certifying that their cat has been sterilized are exempt from the three (\$3.00) dollar surcharge; and said licenses, registration tags and renewals thereof shall expire on January 31st of each year. A late fee of five (\$5.00) dollars shall be assessed if a renewal fee is paid after March 31st.

SECTION 2.

Section 4a, entitled “Violation of Ordinance; Penalty” is amended to read:

Any person who shall violate the provisions of this ordinance shall be liable to a penalty of not less than fifty (\$50.00) dollars, nor more than one hundred (\$100.00) dollars for the first offense, and not less than fifty (\$50.00) dollars, nor more than two hundred (\$200.00) dollars for each subsequent offense, to be recovered by and in the name of the Borough of Sea Girt.

SECTION 3.

All ordinances and parts ordinances inconsistent herewith are hereby repealed.

SECTION 4.

This ordinance shall take effect when passed and published

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

Discussion: Special Permit Parking

The Council received a special request form a resident who needs to park in front of his house He needs to use the curb to get his scooter in and out of his van and a handicap sign cannot be put up because then anyone with a handicap issue can park there. We are looking for a special needs permit for that specific person and if the house were to be sold the spot would then be eliminated. They discussed the matter and had some concerns with the cost of doing such an ordinance and wondered if it wouldn't be easier to have ramp from his driveway to his home and that if we do go through with this ordinance, we need to make it non-specific so that it can be used for anyone who may need a special needs permit. Mr. Brennan started looking into this matter and stated, that you can designate a handicap space but he is not sure about a special needs permit. Council President Niemeyer made a motion to have Mr. Brennan research the matter further, seconded by Councilman Bonacci. The motion was approved by unanimous vote.

Discussion: Information 2010 Census

Mr. Bunting read the following information:

The theme of which appears to be: Counting Everyone Once — and Only Once — and In the Right Place

The foundation of our American democracy is dependent on fair and equitable representation in Congress. In order to achieve an accurate assessment of the number and location of the people living within the nation's borders, the U.S. Constitution mandates a census of the population every 10 years.

The census population totals determine which states gain or lose representation in Congress. It also determines the amount of state and federal funding communities receive over the course of the decade. 2010 Census data will directly affect how more than \$3 trillion is allocated to local, state and tribal governments over the next 10 years. In order for this funding allocation to be accomplished fairly and accurately, the goal of the decennial census is to count everybody, count them only once, and count them in the right place. The goal of the 2010 Census is to count all residents living in the United States on April 1, 2010. The U.S. Census Bureau does not ask about the legal status of respondents in any of its surveys and census programs

The facts gathered in the census also help shape decisions for the rest of the decade about public health, neighborhood improvements, transportation, education, senior services and much more.

By 2010, there will be an estimated 310 million people residing in the United States. Counting each person is one of the largest operations the federal government

undertakes. Note: the Census Bureau will hire about 1.4 million temporary employees. Some of these employees will be using GPS-equipped hand-held computers to update maps and ensure there is an accurate address list for the mailing of the census questionnaires.

10 Questions, 10 Minutes to Complete - With one of the shortest questionnaires in history, the 2010 Census asks for name, gender, age, race, ethnicity, relationship, and whether you own or rent your home. It takes only about 10 minutes for the average household to complete. Questions about how we live as a nation – our diversity, education, housing, jobs and more – are now covered in the American

Discussion: Library Rehabilitation Project

They went out for bid for the HVAC system. The wall expansion is on hold. They are having a meeting on April 4th to discuss.

Discussion: Computation of Sewer Bills – Tabled

COUNCIL REPORTS

Councilman Bonacci read the following Police report:

Memo

To: Mr. Joseph Bonacci, Police Commissioner
From: Cpt. Robert P. Conway
Date: 03/11/09
Re: Council Report

Commissioner Bonacci –

Please be advised that between February 25 and March 10 2009, the police department handled a total of 402 calls. Breakdowns of some of those calls are as follows:

- 57 Motor Vehicle Stops were conducted, resulting in 20 summonses being issued
- 48 Building/Door Checks were conducted
- 21 Homeland Security Checks were conducted
- 11 Burglar Alarms were investigated
- 4 Motor Vehicle Accidents were investigated
- 3 Parking Violations were investigated, resulting in 1 summonses being issued
- 3 First Aid Calls were responded to (Manasquan First Aid responded to two of these calls, and the police department handled the third)
- 1 Fire Call was responded to
- 2 Adult subjects were arrested on outstanding warrants

Respectfully submitted,
Cpt. Robert P. Conway

Councilman Fetzler reported, Personnel: Mr. Bunting has the Personnel Policies & Procedure Manual 90% completed and they should be codified in May or June then Mr. Brennan will review.

Councilman Crawley reported that he will be meeting with Mr. LaValva regarding the school consolidation tomorrow.

Councilman Crawley reported, Recreation Department: The draft procedure manual for employees is done and they are looking at the fees and comparing them to others in the area.

Councilman Crawley reported that the Borough Hall RFP's have been reviewed by Mr. Avakian's office and we should have his recommendation at the April meeting.

Councilman Bogan reported, Fire Department: Total number of calls for 2008 were 71 and for 2009 – January 11, February 4 & March 1. One was a gas leak & two were alarms. Total number of drills and special assignments for 2008 were 54 and for 2009 – January 6, February 4 & March 2 and those drills include pump operations, latter work & hydrant work. The Chief put in a thank-you to all the volunteers that came out on Monday to dig out hydrants to ensure the safety of the Borough. Fire Fighter of the month is Don Loughran and in February it was Bob Durna & Ken Jelliff.

Councilman Bogan reported, Water Department: Mr. Bunting, Mr. Crawley & myself met with Hatch Mott MacDonald with concerns about the cost of the water plant project going up and the scope of work getting smaller. We are looking into other areas of financing. We want Hatch Mott MacDonald to come and speak about the project and answer any technical questions.

Councilman Farrell reported, Budget: Met with the CFO and our auditor and are hoping to introduce the budget on March 25 but our outstanding issue is the State Aid figure.

Councilman Farrell commented on the school consolidation and that everyone needs to get involved. There is a task force meeting on March 26. Also, he will be attending the “Bosslift” to Mississippi on March 18 with the NJ Employer Support of the Guard and Reserve and is looking forward to this.

Council President Niemeyer commented that the Public Works Department did an excellent job with the snow. Also, budget time is here and we are going to have public works employees retire within the next year. He would like to discuss the possibility of doing a study to see if we can contract out the garbage but is going to try to find a contractor that will offer backyard pick up. Everyone agreed to do this study to see if we can get what we want and save some money in the process.

Mayor Clemmensen commended the Police & Public Works Departments for their response to the storm

- The Interlocal with Spring Lake appears to be going very well & thinks they have a very good facility.
- We are working with Senator Lautenberg’s office on the White Sean Superfund.

R-45-2009 Resolution to Pay Bills

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

RESOLUTION R-45-2009

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 March 11, 2009 in total as follows:

CURRENT FUND	\$	18,796.46
WATER / SEWER OPERATING FUND	\$	4,728.22
BEACH OPERATING FUND	\$	906.50
GRANT FUND	\$	0.00
ANIMAL CONTROL FUND	\$	69.60
TRUST FUND	\$	0.00
GENERAL CAPITAL FUND	\$	6,817.93
WATER / SEWER CAPITAL FUND	\$	52,800.00
BEACH CAPITAL FUND	\$	0.00
RECREATION TRUST FUND	\$	498.50
UNEMPLOYMENT COMP. TRUST	\$	0.00
PUBLIC ASSISTANCE TRUST 1	\$	0.00

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

AYES: Farrell, Niemeyer, Bogan, Crawley, Bonacci

NAYS: None

ABSTAIN: Fetzer –Hatch Mott MacDonald

ABSENT: None

PUBLIC PARTICIPATION ON ANY SUBJECT

Mr. McConnell, Campbell Road, Wall, NJ, spoke on behalf of 1/3 of the boat owners who keep their boats on Sea Girt beach. He thinks it's a privilege and we do enjoy Sea Girt beach and understand the need for increase in fees but why were the catamarans increases so much as to the other fees. Council explained that it came up with the fee by looking at how much it costs to store a kayak compared to a catamaran and that it how they came up the fee. Mr. Campbell stated that he understands the rationality of how they came up with it and that is a convenience to store the boats there but asked Council to reconsider the price. Mr. Palmer, W. Belmar, NJ commented that in Ocean City they charged \$225 which included a sailing badge which served as a beach badge. Mayor Clemmensen asked that the Beach Committee meet and address this at the next meeting.

OTHER BUSINESS

None

ADJOURNMENT

Councilman Bogan offered and moved for adjournment at 8:55 pm, Seconded, Council President Niemeyer. The motion was approved by unanimous vote and the meeting adjourned.

Mark E. Clemmensen
Mayor

Lauren Mayer
Acting Borough Clerk