

Special Meeting – January 6<sup>th</sup>, 2010 - Wednesday Evening

**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 8:06pm.

**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 Farrell offered and moved the following Consent Agenda, Seconded, Councilman Bonacci.

Council discussed the minimum bid amounts and whether they should be set for those amounts. The minimum bid in 2006 was between \$45,000 and \$55,000 but the rent that was collected for the 2009 season was approximately \$73,000. Council decided to move forward with the resolution as presented.

R-25-2010 Authorizing Solicitation of Bids for Pavilion Snack Bar Concession

**RESOLUTION R-25-2010**

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

**RESOLUTION AUTHORIZING SOLICITATION OF BIDS FOR**  
**PAVILION SNACK BAR CONCESSION**

**WHEREAS**, the Borough of Sea Girt has determined to solicit bids for the operation of the Beach Snack Bar for, at the Borough's option, either 1) two (2) summer seasons of 2010 and 2011 with the Borough's option to renew the 2011 lease for up to two (2) additional periods of one summer season each (years 2012 and 2013), or 2) the 2010 season with a Borough option to renew for up to three (3) additional periods of one summer season each (years 2011, 2012 and 2013), and

**WHEREAS**, the Borough has determined that the minimum bid for the 2010 season shall be \$75,000.00 and the minimum bid for the 2011 season shall be \$80,000.00, and

**WHEREAS**, it is necessary to advertise for bids in a newspaper circulating in the Borough by two insertions at least once a week during two consecutive weeks; the last publication to be not earlier than seven days prior to the date for the receipt of bids, and

**WHEREAS**, and the successful bidder shall be required to enter into the lease prepared by the Borough and attached to the bid specifications, and

**NOW, THEREFORE BE IT RESOLVED**, that the Borough Clerk is hereby authorized to advertise for bids by formal Notice to Bidders in the following newspapers, The Coast Star and the Asbury Park Press, and

**BE IT FURTHER RESOLVED**, that the first notice to bidders shall be published on January 14<sup>th</sup>, 2010 and the second notice on January 21<sup>st</sup>, 2010 for receipt of proposals which shall be received by the Borough Clerk of the Borough of Sea Girt at the Municipal Building located at 321 Baltimore Avenue, Sea Girt, NJ on February 17, 2010 at 2:00 p.m., prevailing time, at which time and place they will be publicly opened and read aloud, and

**FURTHER RESOLVED**, the Borough of Sea Girt reserves the right to award the contracts to the highest responsible bidder and further reserves the right to reject all bids.

R-26-2010 Authorizing to Enter into an Agreement with Monmouth County Board of Chosen Freeholders to Provide Special Citizen Area Transportation Service

**RESOLUTION R-26-2010**

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

**RESOLUTION TO ENTER INTO AN AGREEMENT WITH  
MONMOUTH COUNTY BOARD OF CHOSEN FREEHOLDERS TO  
PROVIDE SPECIAL CITIZEN AREA TRANSPORTATION SERVICE**

**WHEREAS**, the Monmouth County Division of Transportation operates the Special Citizen Area Transportation (SCAT) program for senior citizens and disabled residents of Monmouth County, and

**WHEREAS**, the SCAT program provides food shopping transportation under contract with municipalities in Monmouth County, and

**WHEREAS**, Sea Girt Borough has entered into SCAT agreements previously and wishes to renew its contract for the year 2010, and

**WHEREAS**, Sea Girt Borough is desirous to enter into an agreement with Monmouth County Board of Chosen Freeholders for SCAT services.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Sea Girt, County of Monmouth that the agreement attached is approved and authorized, and

**BE IT FURTHER RESOLVED**, that the Clerk of the Borough Council of the Borough of Sea Girt, forward to the Board of Chosen Freeholders of the County of Monmouth, State of New Jersey a true and certified copy of this resolution and a signed copy of the Agreement to enter a contract with the County of Monmouth to provide SCAT services to the residents of Sea Girt Borough.

R-27-2010 Authorizing an Agreement with Animal Control Services with the Associated Humane Societies, Inc.

**RESOLUTION R-27-2010**

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

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

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

**WHEREAS**, Sea Girt Borough has entered into animal control agreements previously and wishes to renew its contract for the year 2010, and

**WHEREAS**, the Associated Humane Societies, Inc. of Newark, NJ with offices in Tinton Falls, NJ has agreed to provide animal control services as outlined in their contract effective January 1, 2010 through December 31, 2010, and

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

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

1. That this contract shall be at a cost of \$2.50 per capita per year.
2. That is contract shall be in the amount of \$5,447.50 for the year; with payments of \$453.96 monthly.
3. That this contract has not increased from 2009.
4. That the Mayor and Clerk shall sign on behalf of the Borough Council of the Borough of Sea Girt.

R-28-2010 Authorize Appropriations Reserves Transfers

**RESOLUTION R-28-2010**

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

**RESOLUTION AUTHROIZE APPROPRIATIONS RESERVES  
TRANSFERS**

**WHEREAS**, under NJSA 40A:4-59 transfers are permitted between budget Appropriation during the three months of the succeeding fiscal year,

**BE IT RESOLVED**, by the Borough Council of the Borough of Sea Girt in the County of Monmouth, New Jersey, that transfers are to be as attached.

01/03/10  
14:25:50

BOROUGH OF SEA GIRT  
Budget Entry Verification Listing

Page No: 1

Batch Id: LPC Batch Date: 12/31/09 Batch Type: Standard

Account No. Account Description	Type	Entry Description	Amount	Seq
9-01-26-290-011 PUBLIC WORKS SALARIES & WAGES	Transfer In	Tfr. from various	25,000.00	1
9-01-34-505-001 CONTRACTUAL SERVICES-SCAT	Transfer In	Tfr. from various	700.00	2
9-01-26-290-026 P/W - MAINTENANCE-EQUIPMENT	Transfer In	Tfr. from various	1,000.00	3
9-01-20-110-244 MAYOR & COUNCIL DUES, SUBS, CONV	Transfer Out	Tfr. to various	700.00	4
9-01-20-120-226 CLERK CONTRACTUAL SERVICES	Transfer Out	Tfr. to various	500.00	5
9-01-20-120-236 CLERK SCHOOL	Transfer Out	Tfr. to various	500.00	6
9-01-20-145-021 TAX COLLECTION-ADVERTISING	Transfer Out	Tfr. to various	500.00	7
9-01-20-145-044 TAX COLL. -DUES, SUBSCRIP., CONV.	Transfer Out	Tfr. to various	500.00	8
9-01-26-290-032 P/W - UNIFORMS	Transfer Out	Tfr. to various	2,400.00	9
9-01-26-290-058 PW - JANITORIAL SUPPLY	Transfer Out	Tfr. to various	1,000.00	10
9-01-26-290-105 P/W - TEST. STREET SWEEPINGS	Transfer Out	Tfr. to various	750.00	11
9-01-27-330-001 BLOODBORNE PATHOGEN	Transfer Out	Tfr. to various	2,000.00	12
9-01-30-420-020 CELEBRATION OF PUBLIC EVENTS	Transfer Out	Tfr. to various	2,000.00	13
9-01-31-446-001 GAS - PUBLIC WORKS	Transfer Out	Tfr. to various	1,000.00	14
9-01-31-460-001 GASOLINE - PUBLIC WORKS	Transfer Out	Tfr. to various	3,500.00	15
9-01-31-460-003 GASOLINE - FIRE DEPT.	Transfer Out	Tfr. to various	1,000.00	16
9-01-32-465-001 LANDFILL - DUMP	Transfer Out	Tfr. to various	5,000.00	17

01/03/10  
14:25:50

BOROUGH OF SEA GIRT  
Budget Entry Verification Listing

Page No: 2

Account No. Account Description	Type	Entry Description	Amount	Seq
9-01-36-472-001 MANDATED EXPENDITURE-SOC. SEC.	Transfer Out	Tfr. to various	5,300.00	18
9-01-41-770-036 GENERAL SUPPLIES & PRINTING Db: 9-01-101-01-000-001 CASH	Expenditure	Ck. #4335 ODB	1,000.00-	19
		Cr: 9-01-201-20-000-000 BUDGET APPROPRIATIONS		
9-01-26-290-026 P/W - MAINTENANCE-EQUIPMENT Db: 9-01-201-20-000-000 BUDGET APPROPRIATIONS	Expenditure	Ck. #4335 ODB	1,000.00	20
		Cr: 9-01-101-01-000-001 CASH		

  

	Entries	Amount
Expenditures:	2	0.00
Reimbursements:	0	0.00
Transfer In:	3	26,750.00
Transfer Out:	15	26,750.00
Cancel:	0	0.00
Encumbrance:	0	0.00
Total:	20	53,500.00

There are NO errors in this listing.

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

**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.

**NEW BUSINESS**

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

R-29-2010: Shared Court Interlocal with Sea Girt and Wall

**RESOLUTION R-29-2010**

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

**RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF SEA GIRT AND THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, TO PROVIDE FOR THE SHARING OF FACILITIES, PERSONNEL AND RESOURCES BY THEIR MUNICIPAL COURTS**

**WHEREAS**, the Borough of Sea Girt and the Township of Wall each located in the County of Monmouth, in the State of New Jersey, desire to enter into an agreement having determined it to be in their mutual best interests to provide for the sharing of facilities, personnel and resources by their respective Municipal Courts; and

**WHEREAS**, municipalities are permitted to enter into such agreements pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. and N.J.S.A. 2B:12-1(c); and

**WHEREAS**, the Borough of Sea Girt, hereinafter referred to as "Sea Girt," and the Township of Wall, hereinafter referred to as "Wall," hereby agree to provide for the sharing of facilities, personnel, and resources by Sea Girt Borough Municipal Court and the Wall Township Municipal Court, as authorized by N.J.S.A. 2B:12-1(c),

which arrangement shall hereinafter be referred to as the "Shared Courts." Sea Girt and Wall shall be collectively referred to herein as the "Parties."; and

**WHEREAS**, Sea Girt and Wall have had negotiations with regard to a shared court; and

**WHEREAS**, a shared court will save money by sharing capital expenses, certain infrastructure costs, and operating costs, and with the potential to save labor costs; and

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Sea Girt, County of Monmouth, State of New Jersey, hereby authorizes the Mayor and Clerk to execute said shared services agreement for the sharing of court facilities, personnel and resources, as approved by the Borough Attorney to include the terms set forth herein; and

**BE IT FURTHER RESOLVED**, that the Mayor and other Borough officials are hereby authorized to sign any documents necessary to effectuate this agreement.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

Discussion: Snow Issues in the event of a storm

Mayor Clemmensen commended the Public Works Department for their efforts and the Police Department for their excellent job responding to a first aid call in the storm. He commented that there was an issue whether or not to clear the private roads in town and asked the Council President to obtain from the Superintendent of Public Works the history of clearing these roads and the budgetary cost to do so.

Council President Niemeyer commented that people tend to park their cars on the street to save their driveways during a storm which makes it harder for the Public Works Department to plow the roads. He also asked that as a courtesy, to have the cars off the street during a snow storm. Mayor Clemmensen commented that he is hoping the Governing Body can form an ordinance for this issue.

Discussion with Action: Police Accreditation

Councilman Bonacci stated there was a meeting with Frank Rodgers, Retired Lieutenant Colonel and Retired State Police, of The Rodgers Group the company that handles the accreditation programs. There are 44 police departments that

currently have this accreditation and 24 police departments going through the process. The big picture is for a period of approximately 12 months this group will come in and review the training issues and high liability issues. The goal is to enhance the department's operations, reduce agency liability and increase professionalism. The accreditation program will render the department more current, accredited and efficient as well as reducing insurance premiums. Some towns have attempted this on their own and had a very dismal success rate. To do this ourselves should take about 34 months and if it were to reach 36 months it would be considered a failure, whereas The Rodgers Group or another outside company can come in and get this program done about 12 months. Chief Sidley stated that Councilman Bonacci hit all the key points but the main one is the initial cost of \$34,000.00 to get certified however, the money was budgeted in 2009 and was encumbered for this project. The Chief went over the other yearly fees including: Chief's Association \$1,300 and software management \$3,750. Mayor Clemmensen questioned whether we have the resources to maintain this after the initial accreditation is completed. Chief Sidley responded that the department does have the resources to do that. Councilman Farrell questioned whether or not the department would be able to maintain this accreditation over the years during employee turnovers. Chief Sidley responded by stating that they will be able to maintain it over the years and the goal is to get a young enough employee to head the project and someone to assist so the turnovers will go smoothly. They continued to discuss the matter and Mr. Brennan, Borough Attorney, advised everyone that this would need to go out to bid.

## **COUNCIL REPORTS**

Councilman Farrell reported, SMRSA:

- They are still working on the co-generation project to install two 165kw combustion engines to assist with the digestion and received the DEP permit they have been waiting for on the Pump Station
- SMRSA Budget will be increased by 3.6% and Sea Girt's amount will be low for 2010. \$236,510.19 – 2010 vs. \$242,531.88 - 2009

Councilman Farrell reported, Finance: The preliminary budget is underway and we are executing at 97% of the 2009 budget.

Councilman Farrell reported, Beach: There will be portions of the boardwalk that will be closed due to cleaning of the beach.

Councilman Bogan had no report.

Councilman Crawley congratulated Councilman Farrell and Councilman Fetzer. He commented that with the court moving to Wall Township the Borough Hall Advisory Committee should look at Borough Hall again and possible renovations.

Councilman Fetzner reported, Personnel: The Personnel Policies and Procedure Manual is completed and is hoping to introduce it at the next meeting.

- The new web site will be up soon

Councilman Bonacci read the Police report:

TO: Police Commissioner Joseph Bonacci  
FROM: Chief Edward J. Sidley Jr.  
SUBJECT: Police Report Year End 2009 Incident Count

Dear Sir,

The Sea Girt Police Department handled a total of 11,480 incidents last year. Some of these were 52 nine-one-one hang up calls, 4 abandon motor vehicles, 276 burglar alarms, 120 animal complaints, 186 assist individual calls and 224 assist other agency calls.

Additionally there were 263 Borough Ordinance violations, 7 burglaries, 5 attempted burglaries 147 building checks, 589 community-policing incidents 17 criminal mischief complaints 24 disorderly conduct calls and 31 fight calls.

We assisted with 63 disabled motor vehicles, handled 13 domestic violence calls, did 1223 door checks, handled 186 first aid calls and responded to 82 fire calls. There were 118 follow up investigations conducted, 10 forgery complaints 11 fire works complaints 94 house checks 264 home land security checks to infrastructures done and 11 missing persons reported.

There were 41 juvenile offenses, 63 motor vehicle accidents, 46 motor vehicle complaints 53 noise complaints, 196 parking complaints 3 annoying phone calls 72 incidents of lost or found property and 1 stolen automobile. There were 176 calls for suspicious activity, 109 suspicious vehicles 42 theft complaints 277 traffic service calls 7 trespassing complaints, 1605 motor vehicle stops and 43 check on the well being calls.

Not numbers or incident related, I would like to report that last month Ptl. Mathew Mason graduated from the Monmouth County Police Academy and has joined our patrol ranks.

Lastly, I would just like to thank the men and women of the Sea Girt Police Department who worked during and after the snow storms we have had as well as the extreme cold weather we have endured. I should also point out that our Mayor was out with the Police riding during the storm and saw first hand the dedication these men and women have for the residents of this Borough.

From all of us in the Sea Girt Police, we wish all a happy, healthy and safe 2010.

Respectfully submitted,

Edward J. Sidley Jr.  
Chief of Police

Council President Niemeyer thanked everyone for their vote of confidence as Council President. He commented that the Census Bureau will have a help center at the Borough Hall from March 19, 2010 thru April 19, 2010 on Monday, Tuesday and Wednesday from 10:00am to 1:00pm.

Mayor Clemmensen commented that we go into a defensive mode when things come down from Trenton.

- There was legislation that would have allowed the Governor to consolidate small towns but it lapsed.
- We will be having a meeting with Manasquan on a school resource officer.
- The Council President is putting together a committee to go over on the non-binding referendum on the roads.

**R-30-2010 Resolution to Pay Bills**

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

**RESOLUTION R-30-2010**

**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 January 6, 2010 in total as follows:

CURRENT FUND (2009)	\$	72,571.38
(2010)		612,433.97
WATER/SEWER OPERATING FUND	\$	
(2009)		20,891.60
(2010)		23,500.00
BEACH OPERATING FUND	\$	
(2009)		6,962.11
(2010)		19,500.00
GRANT FUND	\$	0.00
ANIMAL CONTROL FUND	\$	0.00
TRUST FUND	\$	0.00

GENERAL CAPITAL FUND	\$	16,320.52
WATER / SEWER CAPITAL FUND	\$	12,346.13
BEACH CAPITAL FUND	\$	0.00
RECREATION TRUST FUND	\$	138.10
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, Fetzer, Bonacci

NAYS: None

ABSTAIN: Bogan –Johnson & Towers, Inc., Fetzer – Van Dalen Brower & Hatch  
Mott MacDonald

ABSENT: None

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

Mayor Clemmensen opened the meeting to the public at which time Don Laws, Stockton Blvd., complimented Mayor and Council on the time and effort they put in to make Sea Girt better. He complimented the Borough Attorney, Borough Clerk and Borough Administrator for the excellent jobs they do for the Borough.

Bob Ferguson, Philadelphia Blvd., complimented the Police Department for the timely and professional response and the excellent work they do for the Borough. He also complimented the Public Works Department on the excellent job they do for the Borough.

### **R-31-2010 Executive Session**

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

### **RESOLUTION R-31-2010**

**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 January 6<sup>th</sup>, 2010.

**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 are as follows:
  - A. Contract Negotiations – Teamsters Local 97
  - B. Contract Negotiations – PBA Local 50
3. It is anticipated, at this time, that the date on which the stated subject matters A & B will be made public is:
  - A. Upon completion of negotiation
  - B. Upon completion of negotiation
4. This Resolution shall take effect immediately.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

## **OTHER BUSINESS**

None

## **ADJOURNMENT**

Councilman Farrell offered and moved for adjournment at 9:41pm, Seconded, Councilman Crawley. The motion was approved by roll call and the meeting adjourned.

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Lauren Mayer, RMC  
Borough Clerk