

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.

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, absent.

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).

Council President Niemeyer offered and moved the following Consent Agenda minus R-56-2010, Seconded, Councilman Bogan.

R-57-2010 Authorizing Contract with Visiting Nurse Association of Central Jersey 1-1-2010 thru 12-31-2010 in the Amount of \$2,198.00

RESOLUTION R-57-2010

**BOROUGH OF SEA GIRT
COUNTY OF MONMOUTH**

STATE OF NEW JERSEY

**RESOLUTION AUTHORIZING CONTRACT WITH
VISITING NURSE ASSOCIATION OF CENTRAL JERSEY
1-1-2010 THRU 12-31-2010 IN THE AMOUNT OF \$2,198.00**

WHEREAS, the Borough of Sea Girt is in need of the Visiting Nurse Association(VNA) of NJ services for the 2010 Calendar year, and

WHEREAS, VNA of Central Jersey, 176 Riverside Ave., Red Bank, NJ 07701, 800-862-330 provides community nursing services to the Borough’s residents, and

WHEREAS, Sea Girt Borough is desirous to enter into an agreement with VNA of Central Jersey, 176 Riverside Ave., Red Bank, NJ 07701, 800-862-330 for the 2010 calendar year.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth that an agreement with VNA, Central Jersey is approved and authorized, and

BE IT FURTHER RESOLVED, that the Clerk of the Borough Council of the Borough of Sea Girt, will forward VNA of Central Jersey, 176 Riverside Ave., Red Bank, NJ 07701, a true and certified copy of this resolution and a signed copy of the Agreement to enter a contract with VNA of Central Jersey, 176 Riverside Ave., Red Bank, NJ 07701, to provide Community Nursing services for the Borough of Sea Girt.

R-58-2010 Designating the Month of March as “Women’s History Month” National Woman’s Month

RESOLUTION R-58-2010

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

Resolution Designating the Month of March as “Women’s History Month”

Whereas New Jersey women of every race, class, and ethnic background have made historic contributions to the growth and strength of our State in countless recorded and unrecorded ways;

Whereas New Jersey women have played and continue to play a critical economic, cultural, and social role in every sphere of the life of the State by constituting a significant portion of the labor force working inside and outside of the home;

Whereas New Jersey women have played a unique role throughout the history of the State by providing the majority of the volunteer labor force of the State;

Whereas New Jersey women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our State;

Whereas New Jersey women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement;

Whereas New Jersey women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

Whereas despite these contributions, the role of women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history

Whereas the Department of Community Affairs, specifically the Division on Women’s goals are to remember and celebrate New Jersey women and to:

- ◆ Ensure that NJ women are offered equal opportunities in education, the workforce and healthcare regardless of age, sexual orientation, income, ethnicity, race or religion.
- ◆ Identify, implement, measure and coordinate programs that address the needs of NJ women.

- ◆ Engage in continuous study and research on issues affecting NJ women and their families, develop policy papers and legislative recommendations

Now, therefore, be it resolved by the Governing Body in the Borough of Sea Girt, State of New Jersey, that March 2010 is designated as "Women's History Month" under the National Women History Project's 2010 theme: *Writing Women Back Into History*.

R-59-2010 Authorizing the Signing of an Agreement with the Sea Girt 5K Inc. Allowing for the Conduct of a Foot Race August 1, 2010 waiving Noise Ordinance and Imposing Parking Restrictions in Connection Therewith

RESOLUTION R-59-2010

BOROUGH OF SEA GIRT COUNTY OF MONMOUTH STATE OF NEW JERSEY

RESOLUTION AUTHORIZING THE SIGNING OF AN AGREEMENT WITH SEA GIRT 5K INC. ALLOWING FOR THE CONDUCT OF A FOOT RACE AUGUST 1, 2010, WAIVING NOISE ORDINANCE AND IMPOSING PARKING RESTRICTIONS IN CONNECTION THEREWITH

WHEREAS, in previous years the Borough of Sea Girt, a Municipal Corporation of the State of New Jersey, entered into Agreements with the Sea Girt 5K, Inc. A non-profit corporation of the State of New Jersey, for the sponsorship of a 5K race; and

WHEREAS, the Mayor and Council of the Borough of Sea Girt recognize the benefit of this special event to residents of and visitors to the Borough of Sea Girt; and

WHEREAS, the Board of Recreation Commissioners of the Borough of Sea Girt, has determined that in order to provide funds, in whole or part, necessary to improve, maintain and police the playgrounds or recreation places under its control, it would be beneficial to jointly sponsor the Sea Girt 5K run on August 1, 2010; and

WHEREAS, the Mayor and Council and Sea Girt 5K, Inc. wish to enter into an Agreement to jointly conduct the Sea Girt 5K in 2010;

NOW, THEREFORE, be it resolved as follows:

1. Sea Girt 5K, Inc. will conduct the foot race to be held on August 1, 2010, not to exceed five kilometers, as well as children's races, live music and activities
2. Sea Girt 5K, Inc. will provide acceptable insurance and a release to the Borough having the Borough named as additional insured against liability and property damage for the purpose of the event. Sea Girt 5K, Inc. shall deliver to the Borough prior to the event a certificate evidencing minimum coverage in the amounts of one million dollars (\$1,000,000) for occurrence.

3. Sea Girt 5k, Inc. will provide evidence satisfactory to the Borough that it is a validly organized not for profit corporation of the State of New Jersey and will be so as of the date of the event.
4. The Borough of Sea Girt will permit the use of its roadways, provide police, emergency, and public works department assistance and provide insurance under the terms of its general liability insurance policy on August 1, 2010, the day of the race.
5. Sea Girt 5K, Inc. will pay over to the Board of Recreation Commissioners not less than 10% of the participation fees in the 5KRun/Walk and not less than 10% of the participation fees in the Kids Races.
6. The net proceeds of the entry fees collected by Sea Girt 5K, Inc. after deduction of the expenses set forth in Section 5, above shall be retained by the Sea Girt 5K, Inc. for use and or charitable donations to be made in the sole discretion of Sea Girt 5K, Inc.
7. The Sea Girt Noise Ordinance is hereby waived for the period of 1 Aug: from 7:30 AM to 8:00 AM
8. The Sea Girt Police will create a 'no parking' zone at the plaza on 1 Aug: from 12 AM to 12 PM. The No Parking will also be enforced from Wash Blvd thru 6th Ave.

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

AYES: Farrell, Niemeyer, Bogan, Crawley, Fetzer

NAYS: None

ABSTAIN: None

ABSENT: Bonacci

APPROVE MINUTES

Councilman Bogan offered and moved to approve the Executive Session Minutes 9-24-2008, minutes Seconded, Councilman Fetzer.

The foregoing Council Minutes were approved by the following Roll Call Vote:

AYES: Niemeyer, Bogan, Crawley, Fetzer

NAYS: None

ABSTAIN: Farrell

ABSENT: Bonacci

Councilman Bogan offered and moved to approve the Executive Session Minutes 10-22-2008, minutes Seconded, Councilman Crawley.

The foregoing Council Minutes were approved by the following Roll Call Vote:

AYES: Niemeyer, Bogan, Crawley, Fetzer

NAYS: None

ABSTAIN: Farrell

ABSENT: Bonacci

Councilman Bogan offered and moved to approve the Executive Session Minutes 3-25-2009, minutes Seconded, Councilman Crawley.

The foregoing Council Minutes were tabled by the following Roll Call Vote:

AYES: Crawley, Fetzer

NAYS: None

ABSTAIN: Farrell, Niemeyer, Bogan

ABSENT: Bonacci

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

Mayor Clemmensen opened the meeting to the Council. Being there were no members of the Council wishing to speak, the Mayor closed the open discussion portion of the meeting.

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

Councilman Farrell gave a brief on the presentation on the beach budget from the last council meeting and also suggested passing a resolution that allows Manasquan First Aid Squad Members free access to the beaches. Mayor Clemmensen commented that the utilities the Borough has should run as utilities and support themselves and not be subsidized by the taxpayers. He commented that there should be a contribution from the beach budget for the Manasquan First Aid Squad. Councilman Bogan commented that he disagrees with the increase but does agree with the fact that they do need to be raised. The concern is that the increase is too high and will discourage beach goers. Councilman Bogan reminded everyone why the Manasquan First Aid Squad doesn't get free beach badges and that was because a few years ago when this was brought before Council and they allotted a certain number of badges for them and they declined since it was offered to the entire squad. So this has been brought to Council's attention in prior years. Councilman Crawley thanked Councilman Farrell for the great job he did on analyzing this and the presentation to Council. Councilman Farrell commented that he supports the resolution and that everyone that uses the beach is contributing to the beach revenues not just the residents.

J. Casey, 300 Trenton Blvd., questioned if there was any elasticity factored into the presentation numbers proposed. Councilman Farrell stated that yes there was and the numbers were taken from a three year average. The beach budget is very dynamic in that revenue is lost if there is a rainy season but expenses can be lowered because the lifeguards get sent home and do not get paid for those days. Also, the seasonal badge sales have been very consistent over the years and the beach sells approximately 5,000 seasonal badges and 50,000 daily badges each year. Councilman Farrell also commented that the hope with this new badge rate will keep the beach on track with paying down their capital expenses. Mr. Casey also questioned if there was any type of errors and omissions policy that would have covered the legal fees. Mr. Brennan, Borough Attorney, commented that for this type of violation there is not insurance available.

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

R-56-2010 Authorize Amendment to Beach Fees for the 2010 Season

RESOLUTION R-56-2010

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

**RESOLUTION AUTHORIZING AMENDMENT TO BEACH FEES FOR 2010
SEASON**

WHEREAS, the Borough of Sea Girt has a need to increase the beach fees, and

WHEREAS, this need is due to the legal counsel that was hired for the DEP fines assessed to the beach, and

WHEREAS, the following chart shows the existing fees and proposed fees, and

	Existing Fees	Proposed Fees
Season Badge	\$80.00	\$100.00
Daily Badge	\$8.00	\$9.00
Senior Season Badge	\$50.00	\$55.00
Bath House (includes 5 Season Badges)	\$850.00	\$850.00
<i>**Senior rate applies to Bath House – for every Senior Badge requested \$45 will be deducted from the total.**</i>		
Bath House Daily (weekday)	\$12.00	\$12.00
Bath House Daily (weekend & holiday)	\$15.00	\$15.00
Catamarans – Deposit	\$100.00	\$100.00
Catamarans – Payments	\$400.00 to include One seasonal beach badge	\$400.00 One seasonal beach badge
Kayaks	\$200.00	\$200.00
10 Pack of Daily Badges	\$70.00	\$80.00

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Sea Girt that the fees for the beach be increased to the above amounts.

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

AYES: Farrell, Niemeyer, Crawley, Fetzer

NAYS: Bogan

ABSTAIN: None

ABSENT: Bonacci

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

Ordinance 01-2010 An Ordinance to Exceed the Calendar Year 2010 Municipal Budget Appropriation Limits and to Establish the CAP Bank (N.J.S.A. 40A:4-45.14)
Second Reading
Public Hearing

ORDINANCE NO. 01-2010
AN ORDINANCE TO EXCEED THE CALENDAR YEAR 2010
MUNICIPAL BUDGET APPROPRIATION LIMITS AND
TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

BE IT ORDAINED by the Council of the Borough of Sea Girt as follows:

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1, et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its annual appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Council of the Borough of Sea Girt in the County of Monmouth finds it advisable and necessary to increase its CY 2010 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of its citizens; and,

WHEREAS, the Council of the Borough of Sea Girt hereby determines that a 3.5% increase in the budget for the said year, amounting to \$175,244.10 of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Council of the Borough of Sea Girt hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Sea Girt, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2010 budget year, the final appropriations of the Borough of Sea Girt shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$175,244.10 and that the CY 2010 municipal budget for the Borough of Sea Girt be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED that a certified copy of this ordinance, upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

AYES: Farrell, Niemeyer, Bogan, Crawley, Fetzer

NAYS: None

ABSTAIN: None

ABSENT: Bonacci

NEW BUSINESS

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

Mr. Brennan, Borough Attorney, stated that the ordinance as introduced will be revised. The publication will have the correct rates for Section 1B (f).

Ordinance 02-2010 An Ordinance Amending and Supplementing Ordinance #927 – Amending Various Rates in the Water Department
Introduction
Public Hearing 4-14-10

ORDINANCE 02-2010

BOROUGH OF SEA GIRT COUNTY OF MONMOUTH STATE OF NEW JERSEY

ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE #927 – AMENDING VARIOUS RATES IN THE WATER DEPARTMENT

BE IT ORDAINED by the Council of the Borough of Sea Girt that portions of Ordinance 927 are amended as follows:

Section 1.

Section 1B (b) of Ordinance 927 is amended to read:

The rate for each private fire hydrant on a sprinkler system, which hydrant shall be used for fire purposes only, shall be \$500.00 per annum and the applicant shall pay all costs in connection therewith.

Section 1B (c) of Ordinance 927 is amended to read:

The rate for private fire sprinkler systems, which sprinkler systems shall be used for fire purposes only, not including private hydrants on the system, shall be as follows:

<u>Size of Service</u>	<u>Per Quarter</u>	<u>Annual Fee</u>
1"	50.00	\$200.00
2"	60.00	\$240.00
3"	80.00	\$320.00

4"	100.00	\$400.00
6"	120.00	\$480.00
8"	140.00	\$560.00

All fire sprinkler systems in the Borough shall be billed on an annual basis in February of each year.

Section 1B (f) of Ordinance 927 is amended to read:

All water meters shall be read quarterly and bills issued on or before the 15th day of February, May, August and the 15th day of November of each year.

All water delivered in the Borough of Sea Girt except special service connections for public and private fire hydrants and private sprinkler systems and temporary construction/demolition water supplies shall be measured by meters and sold and charged at the rate of \$4.90 per thousand gallons as registered on said meter. The base/flat charge per quarter is as follows: Multiple meters will result in multiple charges.

<u>Meter Size</u>	<u>Charge per Quarter</u>
$\frac{3}{4}$ inch or less	\$55.00
1 inch	\$94.00
1 $\frac{1}{2}$ inch	\$190.00
2 inch	\$304.00
3 inch	\$562.00
4 inch	\$935.00
6 inch	\$1,870.00
8 inch	\$2,992.00

Section 1B (g) of Ordinance 927 is amended to read:

Bills rendered quarterly shall include the quarterly flat charge, together with the charge for any excess used during the previous quarterly term which shall be due payable within fifteen (15) business days. If said charges are not paid within the time above prescribed, interest at the rate of eight percent (8%) per annum shall be added to the charge.

In the event that said charge remains unpaid for a period of forty-five (45) business days, water service will be shut off from the premises affected. In the event that the water service shall be shut off to any premises by reason of nonpayment, water service shall not be resumed unless and until all charges and interest, together with the cost of \$250.00 for turning on or off said service.

Section 1B (i) of Ordinance 927 is added to read:

All rental, real estate and final meter readings for sales or otherwise shall have an administrative fee of fifty (\$50.00) dollars.

Section 2.

The fee for water disconnect/reconnect as set forth in Section 1J is increased from \$100.00 to \$150.00

Section 3.

Any Ordinances or portion thereof inconsistent with this Ordinance are hereby repealed.

Section 4.

This Ordinance will take place upon adoption at final hearing and publication according to law.

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

AYES: Farrell, Niemeyer, Bogan, Crawley, Fetzer

NAYS: None

ABSTAIN: None

ABSENT: Bonacci

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

Mr. Brennan, Borough Attorney, stated that the ordinance as introduced will be revised. The publication will have the correct rates for Section 1(b).

Ordinance 03-2010 An Ordinance Amending and Supplementing Ordinance #823 – Amending Various Rates in the Sewer Department
Introduction
Public Hearing 4-14-10

ORDINANCE 03-2010

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE #823 –
AMENDING VARIOUS RATES IN THE SEWER DEPARTMENT**

BE IT ORDAINED by the Council of the Borough of Sea Girt that portions of Ordinance 823 are amended as follows:

Section 1.

Section 3 (b) of Ordinance 823 is deleted in its entirety and replaced with the following:

(b) All sewer charges in the Borough of Sea Girt shall be based on water usage as determined by meter and shall be charged at the rate of \$4.90 per thousand gallons as registered on said meter. In addition to water usage, the Borough shall charge a base/flat charge per quarter based on the size of the meter. Multiple meters will result in multiple charges.

The base/flat charge per quarter is as follows:

<u>Meter Size</u>	<u>Charge per Quarter</u>
$\frac{3}{4}$ inch or less	\$32.50
1 inch	\$54.50
1 $\frac{1}{2}$ inch	\$110.50
2 inch	\$175.50
3 inch	\$328.50
4 inch	\$542.50
6 inch	\$1,090.00
8 inch	\$1,750.00

Section 2.

Section 3 (c) of Ordinance 823 is added to read:

(c) All sewer bills are due to be paid quarterly. Bills shall be issued on or before the 15th day of February, May, August and November of each year. Charges shall be payable in the amounts on the bill and on or before the date indicated for payment. Bills rendered shall include the quarterly charge according to the size of the meter plus the charge for any usage at the rate of \$4.90 per thousand gallon used during the previous quarterly term which shall be due and payable within fifteen (15) business days. If the charges are not paid within the time above prescribed, interest at the rate of eight (8%) percent per annum shall accrue on all amounts outstanding.

Section 3.

Any Ordinances or portions thereof inconsistent with this Ordinance are hereby repealed.

Section 4.

This Ordinance will take place upon adoption at final hearing and publication according to law.

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

AYES: Farrell, Niemeyer, Bogan, Crawley, Fetzer

NAYS: None

ABSTAIN: None

ABSENT: Bonacci

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

RESOLUTION R-60-2010

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

**RESOLUTION AUTHORIZING A NEW DENTAL PROVIDER FOR THE
BOROUGH OF SEA GIRT**

WHEREAS, the Borough of Sea Girt has determined that was is in its best interest to solicit proposals for a new dental provider; and

WHEREAS, the proposals were submitted and reviewed;

WHEREAS, the Borough of Sea Girt has determined that Dimensions Incorporated, 1518 Highway 138, Wall, NJ is the best choice; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Girt that the new dental provider shall be Dimensions Incorporated, Wall, NJ.

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

AYES: Farrell, Niemeyer, Bogan, Crawley, Fetzer

NAYS: None

ABSTAIN: None

ABSENT: Bonacci

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

R-61-2010 To Award Contract to Lowest Responsible Bidder for Police Department Policy and Procedure Review Re-Write, NJSACOP Law Enforcement Accreditation and CALEA Recognition Consultant Services - The Rodgers Group, LLC

RESOLUTION R-61-2010

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

**RESOLUTION TO AWARD CONTRACT TO LOWEST RESPONSIBLE
BIDDER FOR POLICE DEPARTMENT POLICY AND PROCEDURE REVIEW
RE-WRITE, NJSACOP LAW ENFORCEMENT ACCREDITATION AND
CALEA RECOGNITION CONSULTANT SERVICES**

WHEREAS, bids were advertised, in accordance with specifications prepared by the Borough Attorney for police department policy and procedure review re-write, NJSACOP law enforcement accreditation and CALEA recognition consultant services, and

WHEREAS, said bids were received by the Borough of Sea Girt on March 3, 2010; and

WHEREAS, the only bidder is The Rodgers Group, LLC, PO Box 831, Island Heights, NJ 08732 in the amount of \$34,000.00, and

WHEREAS, the bid and contract award are subject to the Borough Attorney's approval, and

WHEREAS, the Chief Financial Officer has reviewed the information and certifies that funds are available with the attached certification, and

WHEREAS, The Rodgers Group, LLC, appears to be the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The bid for the contract for police department policy and procedure review re-write, NJSACOP law enforcement accreditation and CALEA recognition consultant services is hereby accepted from The Rodgers Group, LLC, Island Heights, NJ in the amount of \$34,000.00.
2. A contract shall be awarded to The Rodgers Group, LLC, Island Heights, NJ for the contract for police department policy and procedure review re-write, NJSACOP law enforcement accreditation and CALEA recognition consultant services in accordance with the bid specifications as prepared by the Borough Attorney.
3. The awarding of the contract and the signing of the contract is subject to the Borough Attorney's approval.
4. Upon receipt of those approvals, the Mayor and Clerk are hereby authorized to enter into a contract with The Rodgers Group, LLC, Island Heights, NJ for police department policy and procedure review re-write, NJSACOP law enforcement accreditation and CALEA recognition consultant services

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

AYES: Farrell, Niemeyer, Bogan, Crawley, Fetzer

NAYS: None

ABSTAIN: None

ABSENT: Bonacci

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

RESOLUTION R-62-2010

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

RESOLUTION AFFIRMING FINAL CHANGE ORDER AND FINAL ENGINEER'S CERTIFICATE FOR IMPROVEMENTS TO FIRST AVENUE

WHEREAS, a contract was awarded to Earle Asphalt Company, Inc. in the amount of \$230,913.13 in connection with the Improvements to First Avenue contract, and

WHEREAS, the Borough Council must affirm and approve the following change 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 final change order and final engineer's certificate #3 are approved as follows:

- A. Final Change Order and Final Engineer's Certificate #3 in the amount of \$6,921.14, and

WHEREAS, the Chief Financial Officer has reviewed the Final Change Order and Final Engineer's Certificate #3 in the amount of \$6,921.14 and certifies that funds are available in the First Avenue Improvements Project for the said final payment, 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

NAYS: None

ABSTAIN: None

ABSENT: Bonacci

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

R-63-2010 To Award Contract to Bird Construction, Inc. for Handicapped Beach Access - Boardwalk and Brooklyn Blvd.

RESOLUTION R-63-2010

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

**RESOLUTION TO AWARD CONTRACT TO BIRD CONSTRUCTION, INC.
FOR HANDICAPPED ACCESS - BOARDWALK AND BROOKLYN
BOULEVARD**

WHEREAS, proposals were received in accordance with specifications prepared by Leon S. Avakian, Inc. for handicapped beach access – Boardwalk and Brooklyn Boulevard; and

WHEREAS, proposals were received by Leon S. Avakian, Inc. in accordance with the specifications; and

WHEREAS, a total of 3 contractors submitted proposals, with Bird Construction Inc. being the lowest in the amount of \$19,800.00, and

WHEREAS, the proposal and contract award are subject to the Borough Attorney's approval, and

WHEREAS, the Chief Financial Officer has reviewed the information and certifies that funds are available with the attached certification, and

WHEREAS, Bird Construction, Inc., appears to be the lowest proposal received.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The bid for the contract for Handicapped Beach Access – Boardwalk and Brooklyn Boulevard is hereby accepted from Bird Construction Inc., NJ in the amount of \$19,800.00.
2. A contract shall be awarded to Bird Construction Inc., NJ for the work for Handicapped Beach Access – Boardwalk and Brooklyn Boulevard with the specifications as prepared by the Borough Engineer.
3. The awarding of the contract and the signing of the contract is subject to the Borough Attorney's approval.
4. Upon receipt of those approvals, the Mayor and Clerk are hereby authorized to enter into a contract with Bird Construction Inc., NJ for Handicapped Beach Access – Boardwalk and Brooklyn Boulevard, known as project SG09-09

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

AYES: Farrell, Niemeyer, Bogan, Crawley, Fetzer

NAYS: None

ABSTAIN: None
ABSENT: Bonacci

Councilman Bogan offered and moved the following Resolution, Seconded, Councilman Crawley.

R-64-2010 To Award Contract to Fiore Paving Co for Repair and Resurfacing of the Baltimore Boulevard Park Basketball Courts

RESOLUTION R-64-2010

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

**RESOLUTION TO AWARD CONTRACT TO FIORE PAVING CO. FOR
REPAIR AND RESURFACING OF THE BALTIMORE BLVD PARK
BASKETBALL COURTS**

WHEREAS, proposals were received in accordance with specifications prepared by Leon S. Avakian, Inc. for the repair and resurfacing of the Baltimore Boulevard Park Basketball Courts; and

WHEREAS, said proposal price is being held at the same price from the proposal two years ago; and

WHEREAS, Fiore Paving Co., 4 Fiore Court, Oceanport, NJ submitted a proposal in the amount \$19,700.00, and

WHEREAS, the contract award is subject to the Borough Attorney's approval, and

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The bid for the contract for Baltimore Boulevard Park Basketball Courts is hereby accepted from Fiore Paving Co., Oceanport, NJ in the amount of \$19,700.00.
2. A contract shall be awarded to Fiore Paving Co., Oceanport, NJ for the work for repair and resurfacing in accordance with the specifications as prepared by the Borough Engineer.
3. The awarding of the contract and the signing of the contract is subject to the Borough Attorney's approval.
4. Upon receipt of those approvals, the Mayor and Clerk are hereby authorized to enter into a contract with Fiore Paving Co., Oceanport, NJ for repair and resurfacing of the Baltimore Boulevard Park Basketball Courts, in accordance with Specifications and Contract Forms titled repair and resurfacing of the Baltimore Boulevard Park Basketball Courts, known as project SG08-09

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

AYES: Farrell, Niemeyer, Bogan, Crawley, Fetzner

NAYS: None

ABSTAIN: None

ABSENT: Bonacci

Discussion/Brief: Hatch Mott MacDonald – Water Treatment Plant

Brian Dougherty from Hatch Mott MacDonald gave a presentation on the Water Treatment Plant:

**Borough of Sea Girt
Water Treatment Plant Improvements
Contract No. 2009-1**

**Project Update
Borough Council Meeting – 3/10/10**

In March 2009, the project was resubmitted to NJDEP for final approval. NJDEP then performed an engineering review and an environmental review. Upon completing the environmental review in September 2009, NJDEP ruled that the project would be subject to a Level 2 Environmental Review, which requires a public hearing and a more in-depth review. The public hearing was held on December 9, 2009 before the Borough's regular council meeting. Following that meeting, an official transcript was prepared with assistance from the Borough Clerk and submitted to NJDEP on December 21, 2009.

Following the public hearing, NJDEP typically issues an Environmental Decision Document (EDD). We had hoped this would be issued in January; however, NJDEP did not finalize and issue the EDD until February 23, 2010. The EDD is issued to a number of interested government agencies and public groups for public comment and requires a 30-day review period. This review period concludes on March 23, 2010, at which time the Borough will be able to submit final documents and request the Authorization to Advertise (ATA) from NJDEP.

The Borough has secured the necessary regulatory approvals for the project, including a Safe Drinking Water Permit, a CAFRA permit, and a Soil Erosion Control Plan Certification. We expect to have the project to bid by end of April.

Discussion/Brief: Hatch Mott MacDonald - NGTC Water project

Brian Dougherty from Hatch Mott MacDonald gave a presentation on the NGTC Water project:

**Borough of Sea Girt
National Guard Training Center Water System Improvements
Third Avenue Water Main Extension
Project Update
Borough Council Meeting – 3/10/10**

In order to support future development activities at the National Guard Training Center (NGTC) site, the Department of Defense plans to undertake improvements to the water distribution system that serves the site. The proposed improvements were reviewed by the Borough and HMM in order to ensure compliance with the Borough's water distribution construction standards. The plans were approved in early January and the Borough endorsed an application to NJDEP Bureau of Water Systems and Well Permitting on January 19, 2010. The BSWP permit is currently pending.

During the course of review and discussion with the NGTC, it became apparent that a 12-inch water main extension was necessary to increase fire flows and pressure within the NGTC system. A study was performed by NGTC's engineer that was reviewed by HMM. Also, field testing was performed by HMM and the Borough water department personnel during the Borough's annual hydrant flushing program in October. Testing shows that the area in this part of the system has lower hydrant flows and pressures.

The proposed main extension will be from the intersection of Baltimore Boulevard and Third Avenue, south on Third Avenue to Sea Girt Avenue, and to the interconnection point with the NGTC system with the NGTC property. The main extension totals approximately 2,700 linear feet.

Although initially indicating that they would be unable to do so, the NGTC was able to secure federal funding to finance this off-site improvement. The project is estimated to cost approximately \$550,000. While the main extension will primarily benefit the NGTC, the Borough will also realize improved water system operation in the southern part of town. The 12-inch main extension will connect to existing mains along the alignment to improve flows and pressures in the distribution system.

A memorandum of understanding (MOU) is being developed that will delineate responsibilities and other important elements of the agreement to protect the Borough's interests. The project will be administered as a change order to the NGTC's existing contract with their utility contractor (Mark Woszczak Mechanical Contractors).

In order to move forward with the proposed Third Avenue Water Main Extension, the plans will need to be finalized and the BWSWP permit secured by the Borough. The draft plans prepared and submitted to NJEIT / NJDEP in March 2009 included this 12-inch main as one component of the proposed water distribution improvements. HMM will update and finalized the plans and prepare a permit application by the end of this month. At that time, the NGTC will negotiate a final price with the contractor and the permit application will be filed with NJDEP.

Discussion/Brief: Peter Avakian - Long Range Road Program

Peter Avakian, Borough Engineer gave a presentation on the Long Range Road Program and other items.

**LONG RANGE ROAD PROGRAM
PRIORITY LISTING
FOR THE
BOROUGH OF SEA GIRT
(UPDATED MARCH 2010)**

PRIORITY	ROADWAY	PROPOSED IMPROVEMENTS	ESTIMATED COST
1	BEACON BOULEVARD (from Ocean Ave to Route 71)	Roadway reconstruction, storm drainage, curbs and handicapped ramps.	\$ 550,000
2	CRESCENT PARK (Carriage Road – entire length of unimproved roadway)	Profile existing roadway, install road gravel subbase and stone surface course.	\$ 100,000

3	THE TERRACE (Entire length of unimproved roadway)	Profile existing roadway, install road gravel subbase and stone surface course.	\$ 150,000
4	THIRD AVENUE (from Trenton Blvd to Sea Girt Ave and Beacon to the Terrace)	Roadway reconstruction, storm drainage, curbs and handicapped ramps.	\$ 150,000
5	FIFTH AVENUE (from Wash. Blvd. to Trenton Blvd.)	Roadway reconstruction, storm drainage, curbs and handicapped ramps.	\$ 100,000
6	PHILADELPHIA BOULEVARD (from Oceanfront to Eighth Ave)	Roadway reconstruction, storm drainage, curbs and handicapped ramps.	\$ 550,000
7	THE TERRACE (from First Ave to the Oceanfront)	Roadway reconstruction, storm drainage, curbs and handicapped ramps.	\$ 100,000

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8	SIXTH AVENUE (Boston Blvd. to Wreck Pond)	Roadway reconstruction, storm drainage, curbs and handicapped ramps.	\$ 325,000
9	FOURTH AVENUE (from Washington Blvd. to Sea Girt Avenue)	Roadway reconstruction, storm drainage, curbs and handicapped ramps.	\$ 75,000
10	BALTIMORE BOULEVARD (from Oceanfront to Second Ave and Fourth Ave to Eighth Ave)	Roadway reconstruction, storm drainage, curbs and handicapped ramps.	\$ 500,000
11	STOCKTON BOULEVARD (from Fourth Ave. to First Ave)	Roadway reconstruction, storm drainage, curbs and handicapped ramps.	\$ 250,000
12	SEASIDE PLACE (from Second Ave to Oceanfront)	Roadway reconstruction, storm drainage, curbs and handicapped ramps.	\$ 125,000
13	NEPTUNE PLACE (from Third Ave. to Second Ave)	Roadway reconstruction, storm drainage, curbs and handicapped ramps.	\$ 150,000
14	MORVEN TERRACE (from Neptune Pl. to Trenton Blvd.)	Roadway reconstruction, storm drainage, curbs and handicapped ramps.	\$ 100,000
15	THE CRESCENT (from Crescent Pky to Trenton Blvd)	Roadway reconstruction, storm drainage, curbs and handicapped ramps.	\$ 200,000
16	FOURTH AVENUE (from Beacon Blvd. to the Terrace)	Roadway reconstruction, storm drainage, curbs and handicapped ramps.	\$ 75,000

TOTAL ESTIMATED COST OF ALL ROADWAY IMPROVEMENTS = \$ 3,500,000.

GENERAL NOTES:

1. CURRENT ROADWAY IMPROVEMENT PROGRAM

The Council Committee will meet to review the roadway priority listing, and determine the impact of grants and capital funding on 3 to 5 year project duration, to complete all roadways in the current priority listing.

2. CRESCENT PARK AND THE TERRACE

It is recommended that these unimproved roadways are graded to insure a positive drainage off the roadway surface. A road gravel subgrade will be installed and a new 8 inch thick stone surface course put in place, and compacted with a vibratory roller. Drainage structures in the form of infiltration basins will be required to alleviate collected runoff at low areas. The Borough Public Works Department will be required to maintain these stone roadway surfaces on an annual basis.

3. UTILITY SERVICE UPGRADES:

Roadway improvement cost estimates include construction and engineering related costs for design, bidding and construction of each project. Construction estimates include roadway reconstruction, storm drainage facility upgrades, concrete curb, and driveway and handicapped ramp improvements. Cost estimates do not include costs related to utility upgrades or improvements to municipal water mains or residential service connections, or sanitary sewer main or residential service laterals.

Discussion/Brief: Sea Girt's 135th Anniversary

Mr. Bunting, Borough Administrator, noted that Sea Girt is coming up on its 135th Anniversary

COUNCIL REPORTS

Councilman Farrell reported, Budget: The Budget will be introduced on April 14

- SMRSA – Elected former Wall Mayor Mary Burne Chairman. The Pump Station will be going out to bid shortly and the combustion project is up and running.

Councilman Crawley had no report but mentioned the Shore Community Alliance has not filled the coordinator position.

- Met w/Mr. Buckley on possible cost savings between the Board of Education and the Borough and will be having another meeting soon.
- Just a note from the Fire Department that if any residents have a fire hydrant near their home to clear it after a storm to help.

Councilman Fetzer reported, Water: The water coordination meeting was cancelled for tomorrow due to the weather.

- The Water Treatment Plant: They have been working with Mr. Bunting and the CFO to make sure everything is in place for the bidding. Also, there will proposed ordinances to increase the rates for the next council meeting.
- Personnel: Negotiation meeting with Public Works was cancelled as well as the meeting on Friday with Police due to the unanimous passing of Senate Bills S2, S3 & S4 which pertain to pensions, medical expenses and legal expenses. So they are waiting to see what happens with these bills.

Council President Niemeyer stated that he was meeting with Brett Nielson, Fire Official, to discuss a few things that the Borough needs to do to keep up on the Fire Safety Act.

Mayor Clemmensen thanked the Police, Public Works and OEM for the great job they did with the last storm.

- Route 71 flooding – the police were out last night and we are still working with Senator Kean’s office on this issue and are continuing in trying to get the State Department of Transportation to increase the size of the drainage pipe on Route 71 to match the drainage pipe from the County. This could potentially be a safety hazard since there are only two evacuation routes out of town and Route 71 is one of them. The Governor has put together a new committee and called the Red Tape Commission. We will be meeting with the commission the week of March 22 to give them the information on the Route 71 flooding issue which they will review and forward to the Lieutenant Governor for review then hopefully be forwarded to the State Department of Transportation to properly size the drainage pipe.
- We also met with the SL Mayor on 1 March to discuss some additional interlocals
- 20 March is Anne Ryan’s portrait unveiling at the Library with an invitation only lunch preceding the event.
- 2 March the S.G. SCHOOL BOOSTER CLUB Pancake Supper :5-8 pm at Ray’s Cafe, Donation: \$10.00
- 16 March Sea Girt School Science Fair 2010.

R-65-2010 Resolution to Pay Bills

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

RESOLUTION R-65-2010

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 March 10, 2010 in total as follows:

CURRENT FUND	\$	36,262.78
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WATER / SEWER OPERATING FUND	\$	5,285.48
BEACH OPERATING FUND	\$	13,589.90
GRANT FUND	\$	0.00
ANIMAL CONTROL FUND	\$	54.00
TRUST FUND	\$	0.00
GENERAL CAPITAL FUND	\$	0.00
WATER / SEWER CAPITAL FUND	\$	0.00
BEACH CAPITAL FUND	\$	0.00
RECREATION TRUST FUND	\$	0.00
UNEMPLOYMENT COMP. TRUST	\$	1,941.16
PUBLIC ASSISTANCE TRUST 1	\$	0.00

"I, Lorraine P. Carafa, Chief Financial Officer of the Borough of Sea Girt do hereby certify that funds are or will be available in each appropriation listed after transfers between appropriations are approved by the Borough Council to satisfy the above listed claims.

Lorraine Carafa, Chief Financial Officer
 March 10, 2010



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

AYES: Farrell, Niemeyer, Bogan, Crawley, Fetzer

NAYS: None

ABSTAIN: None

ABSENT: Bonacci

See Attached Bill List

PUBLIC PARTICIPATION ON ANY SUBJECT (Comments limited to 7 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.

OTHER BUSINESS

ADJOURNMENT

Councilman Fetzer offered and moved for adjournment at 9:49pm, Seconded, Council President Niemeyer. The motion was approved by unanimous vote and the meeting adjourned.

Lauren Mayer, RMC
Borough Clerk

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