

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.

Mayor Clemmensen led the Council in the Flag Salute.

COMPLIANCE STATEMENT:

The Clerk read the following: “In compliance with the ‘Open Public Meetings Act’, Chapter 231, PL. 1975, Section 5, adequate notice has been given of this meeting by posting a Notice in a public place and by transmitting a Notice to two newspapers, Asbury Park Press and the Coast Star as required by law”.

ROLL CALL: Mayor Mark E. Clemmensen, present, Councilpersons, Ken Farrell, present, Fred E. Niemeyer, present, Raymond Bogan, present, Thomas Crawley, present, Don Fetzer, present, Joseph Bonacci, present.

SPECIAL RECOGNITION: Sally A. Weaver, Former Court Administrator
Mr. Bunting read the following:



PRESENTATION: Shore Alliance Against Substance Abuse 2010 Report, Kristin Meyler, Coordinator, Rosemarie Poverman, LCSW & CM Crawley

Kristin Meyler, Coordinator gave the following presentation of the Budget and the programs:

Monthly Program Expenditure Report										
Approved 2010 Budget										
Municipality:	Manasquan	DEDR Award:	\$48,835.00	Quarter:						
Activity Name	DEDR Request	Personnel	Consultant	Travel/ Training	Supplies	Printing/ Postage	Equip.	Rent	Cash Match	In-Kind
Alliance Coordination	\$7,325		\$7,325.00						\$12,208.75	\$36,626.25
BABES	4,720		\$4,720.00							
SHAPE	12,209		\$12,209.75							
JCC	7,049		\$7,049.00							
Project PACKMAN	4,365		\$3,865.00		\$500.00					
Peer Leadership	4,337		\$3,865.00		\$472.00					
SAC Forum	3,865		\$3,865.00							
Community Education	4,465		\$3,865.00		\$600.00					
Student Alliance	500				\$500.00					
TOTALS		\$0.00	\$46,763.75	\$0.00	\$2,072.00	\$0.00	\$0.00	\$0.00	\$12,208.75	\$36,626.25

I certify this report is true and correct and all expenditures herein have been made in accordance with the terms and conditions of this grant and are properly reflected in the grantee's accounting records.

signed: _____ Date: _____ Accepted: YES NO
Municipal Treasurer/Fiscal Officer

signed: _____ Date: _____
For the Alliance Signature, County Alliance Coordinator

FORM 6

MUNICIPAL ALLIANCE BUDGET SUMMARY
Summary of all expenditures proposed by the Alliance

Alliance Name: Shore Community Alliance

Term Year: 2011

DEDR FUNDING											
ACTIVITY NAME	DEDR TOTAL	PERSONNEL	CONSULTANT	TRAVEL/ TRAINING	SUPPLIES	PRINTING/ POSTAGE	EQUIPMENT	RENT	CASH MATCH	IN-KIND	PROGRAM TOTAL
Alliance Coordinator	\$7,325.00		\$7,325.00						\$12,209.00	36,626.00	\$56,160.00
BABES	\$4,720.00		\$4,720.00								\$4,720.00
Project Packman	\$4,365.00		\$3,865.00		\$500.00						\$4,365.00
SHAPE	\$12,208.75		\$12,208.75								\$12,208.75
Student Alliance	\$500.00				\$500.00						\$500.00
JCC	\$7,049.25		\$7,049.25								\$7,049.25
Peer Leadership	\$4,337.00		\$3,865.00		\$472.00						\$4,337.00
SAC Forum	\$3,865.00		\$3,865.00								\$3,865.00
Community Education	\$4,465.00		\$3,865.00		\$600.00						\$4,465.00
TOTAL	\$48,835.00		\$46,763.00		\$2,072.00				\$12,209.00	36,626.00	\$97,670.00

**SHORE COMMUNITY ALLIANCE
TO PREVENT ALCOHOLISM AND DRUG ABUSE**

GRANT PROGRAMS 2009 – 2011

PROJECT PACKMAN POLICE AND COMMUNITY KIDS MUSIC AGAINST NARCOTICS. POLICE OFFICERS AND COMMUNITY KIDS (7TH, 8TH GRADE AND HIGH SCHOOL STUDENTS) MEET WEEKLY THROUGHOUT THE YEAR TO PLAY MUSIC. GROUP TEACHES KIDS DRUG RESISTANCE SKILLS, SELF-ESTEEM, AND PROMOTES HEALTHY ALTERNATIVES TO SUBSTANCE ABUSE. GROUP HAS A CODE OF CONDUCT AND BRINGS GUEST SPEAKERS TO PROGRAMS TO REINFORCE POSITIVE SOCIAL AND ASSET BUILDING SKILLS. THE MUSIC MUST NOT ENCOURAGE OR GLORIFY DRUG OR ALCOHOL USE OR HAVE THEMES OF VIOLENCE. PATROLMAN ROB MELENDEZ WILL CONTINUE TO FACILITATE THIS PROGRAM.

STATION HOUSE ADJUSTMENT PREVENTION AND EDUCATION (SHAPE) THIS GROUP WILL PROVIDE JUVENILES WITH AN ALTERNATIVE TO BEING FORMALLY CHARGED WITH DRUG, ALCOHOL OR ANTI-SOCIAL BEHAVIOR. WITH THE LOCAL POLICE DEPARTMENT APPROVAL, THE FAMILY OF A JUVENILE WHO HAS HAD POLICE INVOLVEMENT CAN AGREE TO COMPLETE AN EARLY INTERVENTION PROGRAM WHICH WILL INCLUDE DRUG AND ALCOHOL EDUCATION FOR THE PARENT AND JUVENILE. IT WILL INCLUDE ONE SESSION WITH JUVENILE, TWO MEETINGS WITH THE FAMILY (PARENT AND JUVENILE) AND A SEPARATE EDUCATION SESSION WITH PARENT.

MANASQUAN HIGH SCHOOL STUDENT ALLIANCE THE MHS STUDENT ASSISTANCE COUNSELOR AND THE ALLIANCE DIRECTOR WILL MEET AND COORDINATE SUBSTANCE ABUSE ALTERNATIVE ACTIVITIES FOR MHS STUDENTS OF ALL GRADE LEVELS. ACTIVITIES COULD INCLUDE LETTER WRITING TO THE NEWSPAPER REGARDING SUBSTANCE ABUSE ISSUES, CONTINUING THE RED RIBBON, ALCOHOL AWARENESS MONTH, DRUNK AND DRUGGED DRIVING MONTH RECOGNITION. BAKE SALES, CAR WASHES, WALK-A-THONS CAN HELP RAISE FUNDS FOR STUDENT ALLIANCE CAUSES. THE STUDENT ALLIANCE WILL CONTINUE TO BE A PART OF THE HIGH SCHOOL TASK FORCE ON DRINKING/DRIVING/DRUGS AND HAVE A REPRESENTATIVE ON THE COMMUNITY ALLIANCE. THE GROUP WILL MEET WEEKLY WITH THE SAC AND MONTHLY WITH THE SAC AND ALLIANCE DIRECTOR. MELISSA SIINO WILL COORDINATE THE PROGRAM.

BABES BEGINNING AWARENESS BASIC EDUCATION STUDIES A SIX WEEK PREVENTION EDUCATION PROGRAM FOR SECOND OR THIRD GRADE STUDENTS AT MANASQUAN, BRIELLE, SG, SLH, AND ST. DENIS ELEMENTARY SCHOOLS. CLASSES INCLUDE SELF-ESTEEM, FEELINGS, PEER PRESSURE, COPING SKILLS, SUBSTANCE ABUSE INFORMATION, GOOD TOUCH/BAD TOUCH AND TRUST. CLASSES INCLUDE USE OF PUPPETS FOR LESSONS AND HAVE PRE/POST TESTS AND WEEKLY REVIEWS. MARJ CHO IS THE CONSULTANT FOR MANASQUAN AND BRIELLE SCHOOLS.

JUVENILE CONFERENCE COMMITTEE (JCC) JUVENILES WHO ARE ORDERED TO COMMUNITY SERVICE WILL COMPLETE THEIR REQUIRED HOURS WITH THE COMMUNITY ALLIANCE. HOURS CAN BE SPENT DOING CUSTODIAL BUILDING CARE, ALLIANCE RELATED WORK AND WILL INCLUDE RELATED PREVENTION EDUCATION IN WITH THE ALLIANCE DIRECTOR

MANASQUAN HIGH SCHOOL PEER LEADERSHIP DESIGN AND IMPLEMENTING A PEER LEADERSHIP PROGRAM WITH SCHOOL REPRESENTATIVES (SAC'S, NURSES, GUIDANCE COUNSELORS, HEALTH TEACHERS, ETC.). MHS PEER LEADERS WILL BE GIVEN TOPICS SELECTED TO TEACH ELEMENTARY SCHOOL PEER LEADERS (7TH 8TH GRADES). THIS IS DONE AT A "PEER LEADERSHIP DAY TRAINING" IN THE FALL. PEER LEADERSHIP TRAINING DAY INCLUDES OUTSIDE PRESENTER (i.e., MC PROSECUTORS OFFICE, PREVENTION FIRST, 180), WORKSHOP ACTIVITIES AND ICE BREAKERS, WORKSHOP GROUPS, BREAKFAST PROVIDED BY THE COMMUNITY ALLIANCE. THE DAY BEGINS AT 8:30 AM AND ENDS BY 3:00 PM.. THE PROGRAM IS HELD AT ST. MARK'S CHURCH IN SEA GIRT.

SAC FORUM THE MHS AND ELEMENTARY SCHOOL STUDENT ASSISTANCE COUNSELOR'S OR THEIR REPRESENTATIVES MEET MONTHLY DURING THE SCHOOL YEAR TO REVIEW ISUUES AND ACTIVITIES AT ALL THE ALLIANCE AREAS SCHOOL. IN PARTICULAR, SUBSTANCE ABUSE ISSUES AND TRENDS ARE DISCUSSED, RESOURCES ARE SHARED AND GROUP STRATEGIES ARE SUGGESTED FOR THESE ISSUES.

COMMUNITY AND FAMILY EDUCATION THE COMMUNITY ALLIANCE WILL PLAN AT LEAST 8 FAMILY EDUCATION WORKSHOPS/SESSIONS RELATED TO SUBSTANCE ABUSE PREVENTION, AWARENESS AND EDUCATION. SOME PROGRAMS WILL BE ONLY FOR PARENTS, SOME WILL BE FOR PARENTS AND TEENS. CLASSES MAY INCLUDE GUEST SPEAKERS WITH A PARTICULAR AREA OF EXPERTISE, AND SOME MAY BE HELD JOINTLY WITH OTHER AGENCIES AND ORGANIZATIONS (MHS, WALL ALLIANCE, PREVENTION FIRST).

PROGRAM COORDINATION ALL RECORDING KEEPING, ADMINISTRATIVE AND COORDINATING RESPONSIBILITIES RELATING TO UPKEEP OF THE COMMUNITY ALLIANCE. PROVIDING FOR THE DISTRIBUTION OF INFORMATION, REFERRAL AND PROBLEM IDENTIFICATION, RESOURCE SHARING, COMMUNITY ALLIANCE REPRESENTATION ON LOCAL, COUNTY AND STATE, GRANT WRITING, CPS CLASSES.

Councilman Farrell questioned as to when a person would get arrested and not sent to the Station House program? What is the level for this program? Ms. Meyler stated that she did not have that information but would look into that and report back to Council. Mrs. Poverman stated that she would be resigning from the Community Alliance as of the end to the year. Mayor Clemmensen thanked her for all her work. Council President Niemeyer thanked everyone involved for their work

especially Mrs. Poverman and Councilman Crawley. Councilman Crawley stated that he would not be the representative next year for Sea Girt so the Council needs to make sure that the Borough is still represented.

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 as presented, Seconded, Councilman Farrell.

R-187-2010 Supporting the Coastal Monmouth Plan by the Monmouth County Planning Board

RESOLUTION R-187-2010

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

**RESOLUTION SUPPORTING THE COASTAL MONMOUTH PLAN BY THE
MONMOUTH COUNTY PLANNING BOARD**

WHEREAS, the Coastal Monmouth region of Monmouth County consisting of thirty municipalities generally described as being located south of the Navesink River, north of the Manasquan River and east of the Garden State Parkway; and

WHEREAS, these communities, while each possessing their own unique character, face many similar challenges with regards to economic development, revitalization, open space, environmental quality, affordability, housing and transportation; and

WHEREAS, the Monmouth County Planning Board, with the support of the Coast Monmouth municipalities, applied for and was awarded a Smart Growth Grant from the New Jersey Department of Community Affairs to conduct a comprehensive planning study of the Coastal Monmouth region; and

WHEREAS, the Coastal Monmouth Plan has been completed and provides recommendations on economic development initiatives, open space preservation strategies, environmental conservation, transportation improvements, shared services, housing, and other “quality of life” issues which affect those that live, work and recreate in the region; and

WHEREAS, the Borough of Sea Girt participated directly in the study as member of the Coastal Monmouth Plan Collaborative and provided its municipal vision and contributed to the regional vision.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Sea Girt hereby supports the Coastal Monmouth Plan and encourages the Monmouth County Planning Board to adopt the Plan as an element of the Monmouth County Growth Management Guide.

BE IT FURTHER RESOLVED, that the Borough Council of the Borough of Sea Girt supports the submission of the adopted Coastal Monmouth Plan to the New Jersey State Planning Commission for consideration for Plan Endorsement purposes.

R-188-2010 Supporting The Mayors Wellness Campaign

RESOLUTION R-188-2010

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

RESOLUTION SUPPORTING THE MAYORS WELLNESS CAMPAIGN

WHEREAS, Across New Jersey, communities are facing a rise in health care costs; and

WHEREAS, Physical activity levels have been decreasing and obesity rates increasing; and

WHEREAS, Local leaders are looking for ways to promote active living, healthy eating, and overall wellness in their communities; and

WHEREAS, The Mayors Wellness Campaign works with Mayors and key leaders to shape healthier lifestyles for the men, women and children in their communities; and

WHEREAS, Communities can work towards the goal of healthier citizens and lower health care costs by championing practices and programs that promote active living; and

WHEREAS, The Mayors Wellness Campaign will work to implement a comprehensive program of outreach, education and technical assistance activities to combat obesity and inactivity issues for *Sea Girt Borough*.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the municipality of the Borough of Sea Girt, New Jersey, ask that all residents of this community join us in supporting the Mayors Wellness Campaign.

BE IT FURTHER RESOLVED, That we encourage the residents of *the Borough of Sea Girt* to participate in Mayors Wellness Campaign activities to promote exercise, eating properly and living healthier and better lives.

R-189-2010 Authorizing a Tax Refund for Overpayment for Block 26, Lot 5 – 111 Stockton Boulevard

RESOLUTION R-189-2010

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

**RESOLUTION AUTHORIZING A TAX REFUND FOR OVERPAYMENT
FOR BLOCK 26, LOT 5 – 111 STOCKTON BOULEVARD**

WHEREAS, An overpayment for taxes was made on property know as Block 26, Lot 5, 111 Stockton Boulevard, owned by Salvator Jr & Jennifer Imbornone, due to a State Tax Court Appeal; and

WHEREAS, the attorney has requested this overpayment be refunded to him as Trustee; and

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Sea Girt that the Chief Finance Officer is authorized to draw a check in the amount of \$1,004.59; this check is to be made payable to “Michael I. Schenck, Trustee for Imbornone , Salvator Jr & Jennifer”.

R-190-2010 Authorizing the Award of a Contract for Professional Service - Ellicott Network Consultants, LLC

RESOLUTION R-190-2010

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

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
PROFESSIONAL SERVICE - ELLICOTT NETWORK CONSULTANTS, LLC**

WHEREAS, the Borough of Sea Girt has a need to acquire services for a IT Services, as a not-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5; and

WHEREAS, the anticipated term of this contract shall be effective January 1, 2011. This contract is for one year and may be extended as many times as approved by this governing body; and

WHEREAS, Ross Ellicott of Ellicott Network Consultants, LLC, IT services; has submitted a proposal dated 10-22-2010 indicating they will provide said services and have provided a Business Entity Disclosure Certification which certifies that each has not made any reportable contribution to a political or candidate committee in the Borough of Sea Girt in the previous one year, and that the contract will prohibit each entity from making any reportable contribution through the term of the contract; and

WHEREAS, funds are available for this purpose, and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Sea Girt authorizes Mark E. Clemmensen, Mayor to enter into a contract with the professionals as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution and,

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published in The Coast Star as required by law within ten (10) days of its passage.

R-191-2010 Authorizing Budget Appropriation Transfers

RESOLUTION R-191-2010

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

RESOLUTION AUTHORIZING BUDGET APPROPRIATION TRANSFERS

UPON MOTION of Councilman _____, seconded by Councilman _____, carried, that the following resolution be adopted:

WHEREAS, certain 2010 appropriations require additional funds to cover anticipated expenditures through December 31, 2010; and,

WHEREAS, certain other 2010 appropriations show a surplus of funds available; and,

WHEREAS, the Local Budget Law (N.J.S.A. 40A:4-1, et seq.) permits transfers between appropriations during the last two months of the current fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that the following appropriations transfers be and the same are hereby authorized:

APPROPRIATIONS TRANSFERS
DECEMBER 2010

CURRENT:			
Account #	Account Name	Transfer Out	Transfer In
0-01-20-110-244	Mayor & Council, Dues	\$ 200.00	
0-01-20-140-219	Audit Services	\$ 500.00	
0-01-20-145-036	Collector, S/W	\$ 7,500.00	
0-01-21-180-029	Planning Board, Contractual	\$ 2,500.00	
0-01-25-240-030	Police, School	\$ 2,500.00	
0-01-26-316-010	Snow Removal, S/W	\$ 1,000.00	
0-01-27-330-108	Health Services, Contractual	\$ 1,000.00	
0-01-31-430-001	Electricity, PW	\$ 10,000.00	
0-01-31-460-001	Gasoline, Public Works	\$ 10,000.00	
	Total Tfrs. Out	\$ 35,200.00	
0-01-20-110-010	Mayor & Council, S/W		\$ 200.00
0-01-20-155-029	Legal Services, Contractual		\$ 17,000.00
0-01-20-165-029	Engineering, Contractual		\$ 2,500.00
0-01-23-226-000	Insurance, Liability		\$ 3,000.00
0-01-25-240-029	Police, Contractual		\$ 2,500.00
0-01-31-435-075	Street Lighting		\$ 7,500.00
0-01-31-445-001	Water Bills, Public Works		\$ 2,500.00
	Total Transfers In		\$ 35,200.00
WATER:			
0-05-55-502-031	Chemicals & Chlorine	\$ 3,000.00	
0-05-55-502-058	General Supplies	\$ 2,000.00	
0-05-55-502-068	Utilities		\$ 5,000.00
	Total Transfers	\$ 5,000.00	\$ 5,000.00
Appropriations canceled:			
0-05-55-502-031	Chemicals & Chlorine	\$ 5,000.00	
0-05-55-502-073	Hydrants	\$ 10,000.00	
0-05-55-502-114	Laboratory Tests	\$ 7,500.00	
0-05-55-502-116	Water Taps	\$ 120,000.00	
0-05-55-506-244	SE Monmouth Utility Authority	\$ 10,000.00	
0-05-55-514-242	Social Security	\$ 15,000.00	
		\$ 167,500.00	
Emergency Appropriation balance canceled:			
0-05-55-530-020	Emergency Appropriation	\$ 20,000.00	
BEACH:			
0-09-55-232-501	Solid Waste Surcharge	\$ 1,000.00	
0-09-55-380-026	Maintenance of Equipment	\$ 2,500.00	
	Total Transfers Out	\$ 3,500.00	
0-09-55-176-010	Administration, S/W		\$ 3,000.00
0-09-55-245-501	Social Security		\$ 500.00
	Total Transfers In		\$ 3,500.00

BE IT FURTHER RESOLVED that a copy of this resolution shall be given to the Chief Financial Officer for appropriate action.

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 MINTUES

Councilman Farrell offered and moved to approve the Regular Minutes 11-10-2010, Seconded, Councilman Fetzer.

The foregoing Council Minutes were 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)

Mayor Clemmensen opened the meeting to the Council. Mayor Clemmensen stated that from an early age his father instilled in him that it's important in the current system of government to give back to that system of government. This is the only reason that the current systems of government – democracy works in our nation today. The Mayor stated that he has had the privilege of serving with Councilman Crawley and Councilman Bogan this last year and appreciate the service they have given back to the residents, citizens, neighbors and friend of the community. It takes a lot of time, effort and sacrifice to run a town. When you think about running a town it's like running a household. There is a budget, utilities that need to be paid, management to be done, driveways to be cleared and even a little police work once in awhile. There are debates back and forth but at the end of the day you created a place called home and that's what these two have done along with everyone else at the table here. Mayor Clemmensen Thanked Councilman Bogan and Councilman Crawley for all they did.

PUBLIC PARTICIPATION (Comments limited to items on the agenda for 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.

OLD BUSINESS

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

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.

Ordinance 16-2010 An Ordinance Regulating The Opening Of Streets In The Borough Of Sea Girt And Repealing Ordinances #60, #607, #792 & #860

Second Reading

Public Hearing (comments limited to 4 minutes)

ORDINANCE 16-2010

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

**AN ORDINANCE REGULATING THE OPENING OF STREETS IN THE BOROUGH
OF SEA GIRT AND REPEALING ORDINANCES #60, #607, #792 & #860**

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. Ordinance #60, #607, #792 & #860 are repealed.

Section 2. Permit Required.

No person, business, corporation or other entity (from now on called "person") shall dig up, break, tunnel, undermine, disturb or in any manner excavate any municipal street, road, right-of-way, or public easement, or make or cause to be made any excavation in or under the aforementioned areas for any purpose or place, or deposit, or leave in any of the aforementioned areas any earth or other excavated material obstructing or interfering with the free use of same unless such person shall first have obtained an excavation permit therefor from the Municipal Clerk. Openings may be made without the necessity of filing a written application and obtaining an excavation permit only in emergencies, such as a broken or frozen water main, gas leak or other happening which would endanger public life, health and safety; provided, however, that notice thereof shall be immediately given verbally to the Superintendent of Public Works or Police Department and written application in accordance with this chapter shall be made within forty-eight (48) hours.

Section 3. Application for Permit.

No excavation permit under this section shall be issued until the person seeking such permit shall have first done the following:

- a. Made a written application for the issuance of such permit submitted to the Municipal Clerk, signed by the person making the application or by a duly authorized agent, and containing the following information:
 1. Name, address and telephone number of the person for whom the work is to be performed.
 2. Name, address and telephone number of the person performing the work.
 3. Location of the work area, including a map or sketch.
 4. An outline or plan describing the work to be performed.
 5. Number of square feet of surface to be opened.
 6. Cubic content of material to be excavated.
 7. Type of surface to be removed or disturbed.
 8. Cubic content of material to be burrowed.
 9. Date and time of commencement and estimated date of completion with an agreement by the applicant to refill or resurface the opening or excavation so that the street surface shall be restored to the same condition or better, in which it was before the proposed work.
 10. The types of proposed traffic control devices and procedures to be utilized for the project, which devices and procedures shall be in conformity with the guidelines set forth in the Manual of Uniform Traffic Control Devices, current edition, (the "Manual").
 11. The names and telephone numbers of at least two (2) persons responsible on a twenty-four (24) hour call basis to handle emergency repairs for the applicant.

- b. A nonrefundable permit fee of \$150.00 shall be paid to the Borough of Sea Girt prior to the issuance of any permit. In no case shall a permit be issued until the required fees and deposits have been paid.
- c. The applicant must furnish to the Municipality a cash or surety bond to guarantee that the opening or trench made by the permittee will be closed properly. The amount of the cash deposit or surety bond is \$15.00 per square yard. Provided the minimum deposit is 1,000.00. Upon completion of the work in a satisfactory manner, the bond or cash surety will be released in return for a maintenance bond or cash guarantee that the road, street, or highway over the same will remain in good condition for at least one (1) year after the closing by the permittee. The failure to carry out all required work and properly close the area of the road opening shall require the forfeiture of any cash or surety bond guaranteeing the work, or alternatively, require the surety company to complete all required work in an acceptable manner; provided however, the cash or surety bond shall not limit the amount of damages incurred by the Municipality. The Municipality reserves the right to pursue additional claims against the permittee for all damages in excess of the amount of the cash and/or surety bond.
- d. Deliver to the Municipality satisfactory proof of insurance in the minimum amount of one million (\$1,000,000.00) dollars per person, and three million (\$3,000,000.00) dollars per occurrence, insuring the permittee and the Municipality against liability for injury or loss sustained by any person or persons as a result of the acts of commission or omission of the permittee, or any servants, agents or employees of the permittee.

Section 4. Conditions of the Permit.

- a. In the case of all openings larger than sixteen (16) square feet and four (4) feet deep, the application is subject to review by the Superintendent of Public Works as to whether or not a permit should be issued. If it is recommended by the Superintendent of Public Works that a permit be issued, the Municipal Clerk shall issue the permit and forward all monies collected to the Municipal Treasurer for deposit. If the permit is denied, then the Municipality shall retain the application fee and notify the applicant in writing not later than five (5) days after the action denying the application.
- b. Except in emergent conditions, the permittee shall give a minimum of forty-eight (48) hours notice of the proposed opening and/or excavation to all persons owning property abutting on the street about to be opened or excavated. Notice shall be given by personal service or by regular mail upon all persons entitled to such service.
- c. All openings, excavations, backfilling or grading shall be done by the person to whom any permit is issued. Such person shall give at least seventy-two (72) hours written notice to the Superintendent of Public Works prior to the commencement of any work.
- d. The area of the road opening shall be left in a broom clean condition.
- e. All work shall be performed and completed in such a manner as to cause a minimum of interference with travel on the street affected. No street shall be closed to traffic unless the closing is approved by the Chief of Police. Street and/or traffic lanes approved for closure to traffic must be closed and then reopened at the times specified in the application, with no deviations permitted. The Police Department shall be informed in writing of all street closings at least twenty-four (24) hours in advance, except where the work is of an emergency nature, in which case notice shall be given to the Police Department when work commences.
- f. Construction work will be permitted only between 8:00 a.m. and 6:00 p.m. Monday through Friday and Saturday 9:00 am to 5:00 pm and must also comply with Borough Ordinance 2007-16, which pertains to no construction on certain holidays. The Mayor and Council,

Municipal Engineer and Superintendent of Public Works must approve emergency situations or work required beyond the permitted time.

Section 5. Construction Specifications

It shall be the duty of the applicant to restore the street surface in the following manner and to maintain all proper safeguards relating to the opening or excavation to protect the public from damage or injury resulting from same.

No work may commence before markout by the appropriate agencies. Right-of-way or property monuments and/or markers, traffic control devices and other public entity maintained devices in the right-of-way shall not be removed or disturbed unless permission to do so is first obtained in writing by the Superintendent of Public Works.

1. All trench openings shall be neatly saw cut, unless specifically allowed, in writing by the Public Works Department for unusual circumstances.
2. The restoration of the opening or trench shall be maintained for one (1) year after completion.

Where twenty-five (25%) percent or more of the existing pavement surface has been destroyed or disturbed, final paving shall consist of a one (1) inch overlay of the entire width of the pavement surface with Bituminous Concrete Type FABC (Mix 1-5).

The type of material used for backfilling shall be as specified by the Borough Engineer to ensure the restoration of a street or road to its prior condition. For the purpose of establishing specifications for the restoration, the specifications promulgated by the Department of Transportation of the State of New Jersey shall serve as a guideline for street restoration.

In the event of a snow or ice storm, the permittee will be required to take whatever steps the Superintendent of Public Works (or designee) deems necessary to secure the traveled way for snow removal operations. At the first sign of precipitation, all work on the shoulders and traveled way shall stop and they shall be cleared of all dirt, etc. and then backfilled so as not to interfere with snow removal operations until the weather permits resumption of work.

3. Tack coat should be applied to the edges of the street opening just prior to placement of the bituminous surface course. Placement of the tack coat shall be in accordance with the latest revision of the State of New Jersey Standard Specifications for Road and Bridge Construction.
4. It shall be the duty of each person, corporation, partnership, firm and their contractor or agents to notify the Borough Administrator prior to the backfilling of the opening or excavation, and of the date such work will be done, so that the Borough Engineer or agent of the Borough may, in his discretion, inspect all aspects of the street restoration, etc., and to file a written report to be used in the determination of the return of the repair deposit.
5. The partially restored pavement (stabilized base course level with the existing pavement as described in subsection 15-1.3c.) shall be allowed to settle for no less than ninety (90) days and no more than one hundred eighty (180) days. Upon the completion of the settling period, the opened or excavated area shall be milled and repaved with NJDOT Mix I-5 utilizing an infrared restoration process. If at any time during the settlement period, the trench becomes unacceptable as determined by the Director of Public Works,

the permittee shall be notified of the condition requiring repair, and such repair shall be performed within twenty-four (24) hours of such notification by the Director of Public Works. If the repair is not made in the time specified, the Borough may make the repair and any cost thereof will be charged against the permittee's cash repair deposit and/or maintenance bond. At the end of the period of time of settlement required by the Department of Public Works, an inspection shall be performed by the Department.

6. The permittee shall be required to replace any facilities including but not limited to curb, pavement sidewalk, line striping, etc. that are affected by the excavation and restoration work.

Section 6. Removal and Protection of Utilities.

The permittee shall first obtain the appropriate utility markouts as required by law. The permittee shall not interfere with any existing utility without the written consent of the utility company or person owning the utility. If it becomes necessary to remove an existing utility, this shall be done by its owner. No utility owned by the Borough shall be moved to accommodate the permittee unless the cost of such work is borne by the permittee. The cost of moving privately owned utilities shall be similarly borne by the permittee unless it makes other arrangements with the owner of the utility. The permittee shall support and protect, by timbers or otherwise, all pipes, conduits, poles, wires or other apparatus which may be in any way affected by the excavation work and do everything necessary to support, sustain and protect them under, over, along or across the work, in accordance with applicable statutory provisions. In case any pipes, conduits, poles, wires or apparatus should be damaged, they shall be repaired by the agency or owner and the expense of such repairs shall be borne by permittee, and his or its bond shall be liable therefore. The permittee shall be responsible for any damage done to any public or private property by reason of the breaking of any water pipes, sewer, gas pipe, electric conduit or other utility, and its bond shall be liable therefore. The permittee shall inform itself as to the existence and location of all underground utilities and protect the same against damage.

Section 7. Cleanup.

As the excavation work progresses, all streets and private properties shall be thoroughly cleaned of all rubbish, excess earth, rock and other debris resulting from such work. All cleanup operations at the location of such excavation shall be accomplished at the expense of the permittee and shall be completed to the satisfaction of the Department of Public Works. From time to time as may be ordered by the Department of Public Works, and in any event, immediately after completion of the work, the permittee shall at his or its own expense clean up and remove all refuse and unused materials of any kind resulting from the work; and upon failure to do so within twenty-four (24) hours after having been notified to do so by the Borough, the work may be done by the Borough and the cost thereof charged to the permittee, and the permittee shall also be liable for the cost thereof under the surety bond provided hereunder.

Section 8. Notice of Street Paving by the Municipality.

When the Municipality shall improve or pave any street, the Municipal Clerk (or designee) shall give notice by regular mail to all persons owning property abutting on the street about to be paved or improved, and to all public utilities and authorities operating in the Municipality. All such persons, utilities, and authorities shall make all connections as well as any repairs thereto which would necessitate excavation or disbursement of the street, within forty-five (45) days from the provision of such notice. The time may be extended if permission is requested in writing and approved by the Mayor and Council (or designee).

Section 9. Opening of Newly Paved Streets Restricted.

No permit shall be issued which would allow an opening or excavation of a paved or improved street surface less than five (5) years old unless the applicant clearly demonstrates to the Borough Engineer that public health or safety requires the proposed work to be permitted or unless an emergency condition exists. If a permit is issued pursuant hereto to open any repaved street less than five (5) years old, an enhanced restoration may be required for said opening permit at the discretion of the Borough Engineer. Enhanced restoration may include half width to full width milling and repaving to minimize the deleterious effects of the pavement disturbance.

Municipality Exempted from Permit

Nothing contained in this section shall be construed as requiring the issuance of a permit for the performance of any opening or excavation by the Municipality.

Section 10. Violations, Penalty.

Any person, firm, entity or corporation violating any of the provisions of this section shall, upon conviction hereof, be subject to a fine not to exceed two thousand (\$2,000.00) dollars or imprisonment for a term not to exceed ninety (90) days, or both, at the discretion of the court having jurisdiction in this matter. The court shall have the discretion to impose a term of community service in lieu of imprisonment. Each day that a violation continues shall be deemed a separate offense.

Section 11. Effective Date

This Ordinance shall take effect immediately upon final passage and publication as required by law.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

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

Mayor Clemmensen opened the meeting to the public at which time William Sitar went over a letter he submitted to the Borough regarding the Ordinance.

Ordinance 21-2010 An Ordinance Adopting Rules and Regulations for the Proper Disposal of Solid Pet Waste in the Borough of Sea Girt

Second Reading

Public Hearing (comments limited to 4 minutes)

ORDINANCE 21-2010

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

AN ORDINANCE ADOPTING RULES AND REGULATIONS FOR THE PROPER DISPOSAL OF SOLID PET WASTE IN THE BOROUGH OF SEA GIRT

SECTION I. Purpose:

An ordinance to establish requirements for the proper disposal of pet solid waste in the Borough of Sea Girt, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Immediate – shall mean that the pet solid waste is removed at once, without delay.
- b. Owner/Keeper – any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- d. Pet - a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
- e. Pet solid waste – waste matter expelled from the bowels of the pet; excrement
- f. Proper disposal – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

SECTION III. Requirement for Disposal:

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.

SECTION IV. Exemptions:

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.

SECTION V. Enforcement:

The provisions of this Article shall be enforced by the Police Department of the Borough of Sea Girt.

SECTION VI. Violations and Penalty:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of two hundred dollars (\$200.00) for a first offense, and no more than one thousand (\$1,000.00) dollars for each subsequent offense.

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

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

Mayor Clemmensen opened the meeting to the public at which time William Sitar went over a letter he submitted to the Borough regarding the Ordinance.

Ordinance 22-2010 An Ordinance Amending and Supplementing Ordinance #722 Entitled “An Ordinance Providing for the Towing and Storage of Motor Vehicles”

Second Reading

Public Hearing (comments limited to 4 minutes)

ORDINANCE 22-2010

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE #722
ENTITLED “AN ORDINANCE PROVIDING FOR THE TOWING AND STORAGE
OF MOTOR VEHICLES”**

BE IT ORDAINED by the Council of the Borough of Sea Girt that Ordinance 722 is amended as follows:

Section 1.

Section 2(b1) of Ordinance 722 is amended to read:

- 1) A certificate of liability insurance for said wrecker in the amount of \$500,000 for general liability.

Section 2.

Section 2(f) of Ordinance 722 is amended to read:

F. Each wrecker must meet the requirements of Title 39 of the New Jersey Statutes, and all applicable vehicle rules and regulations. The wrecker must have both a boom-lifting capacity of at least four (4) tons. In addition, each wrecker must have the following equipment:

- 1) One (1) large broom and shovel.
- 2) At least one (1) set of dolly wheels.
- 3) Steering wheel lock for towing vehicles from the rear.
- 4) Tow-sling type tow bar to prevent any part of the crane metal from touching the towed vehicle.
- 5) Emergency warning lights.
- 6) Portable safety lights capable of being installed on the rear of a towed vehicle if necessary.
- 7) Safety flares for night work.
- 8) Fire Extinguisher.
- 9) Reflective traffic vest(s) for all operators to wear.
- 10) Speedy dry material used to absorb vehicle fluids.

Section 3.

Section 5 of Ordinance 722 is deleted in its entirety and replaced with the following:

A. Towing fees and charges shall be as follows:

1. Towing Service with light duty (ten thousand (10,000) pound gross vehicle weight or less) wrecker:
 - a. Show up Fee \$30.00
 - b. Full Towing Charge \$100.00
2. Towing Service with flatbed (roll back) truck with a tilt body:
 - a. Show up Fee \$30.00
 - b. Full Towing Charge \$100.00
3. For Winch Services or Service to a Vehicle over ten (10,000) thousand pounds gross weight:
 - a. Show up Fee \$100.00
 - b. Full Towing Charge \$100.00 per hour
4. Additional Clean Up Fee at Accident Scene(s)
 - a. \$30.00 additional clean up fee to incur cost of cleaning any debris from the accident scene and cost for speedy dry material(s).

B. Storage Fees and Charges shall be as follows:

1. Storage per day Storage per day (or any part thereof) commencing immediately upon releasing vehicle off the wrecker into storage lot. Storage

days will be determined in 24-hour periods from the time vehicle was initially dropped. \$25.00 per day (24 hour period)

Tow operators shall be available for service 24 hours a day seven days a week with no restrictions.

- C. Show Up Fee: The towing service operator shall be entitled to a “show up” charge if the operator or owner of the vehicle appears at the stated location within the fifteen (15) minute period in which the tow operator is required to respond to the police dispatcher’s request for towing service.
- D. Every operator of a towing service shall give the owner a written estimate of cost and written receipt when paid.
- E. This towing service fee schedule shall be posted in a conspicuous place at the business location of any authorized tower participating in the Towing Service Rotation Program.

Section 4.

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

Section 5.

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

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

NEW BUSINESS

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

R-192-2010 To Hire Full Time Financial Office Assistant – Jane Hunnewell

RESOLUTION R-192-2010

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

RESOLUTION TO HIRE FULL TIME FINANCIAL OFFICE ASSISTANT

WHEREAS, the Borough of Sea Girt is in need of a full-time Financial Office Assistant;
and

WHEREAS, the Borough Administrator and Chief Financial Officer have conducted interviews for the position of Financial Office Assistant and have made their recommendation to the Governing Body to hire Jane Hunnewell, Oakhurst, NJ; and

WHEREAS, this appointment shall be effective January 1, 2011; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Sea Girt does hereby confirm the hiring of Jane Hunnewell to the position of Financial Office Assistant at an annual salary of \$41,000.

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

R-193-2010 To Hire Part-Time Seasonal Employee for the Fall, Winter & Spring – J. Amberg

RESOLUTION R-193-2010

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

**RESOLUTION TO HIRE PART-TIME SEASONAL EMPLOYEE FOR THE FALL,
WINTER & SPRING**

WHEREAS, the Borough of Sea Girt has a need for part-time seasonal help; and

WHEREAS, the part-time position will be filled in the Administration Department with work being concentrated on the Beach; and

WHEREAS, he is considered a part-time employee of the Borough and therefore not entitled to the benefits afforded full-time permanent employees; and

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

1. J. Amberg is hereby employed by the Borough of Sea Girt, effective December 8, 2010 at an hourly rate of \$15.00.

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

R-194-2010 Authorizing an Amendment to the Rules and Regulations for the Sea Girt Police Department

RESOLUTION R-194-2010

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

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE RULES AND
REGULATIONS FOR THE SEA GIRT POLICE DEPARTMENT**

WHEREAS, the Borough of Sea Girt approved R-142-2010 on August 11, 2010; and

WHEREAS, the Chief of Police has made an amendment to the prior rules and regulations as attached; and

On page 19 sec 3:2.2 1 paragraph two we are removing the entire paragraph. "The superior officer shall order the employee to take a breathalyzer test/Alcotest when the Superior Officer has reasonable basis to believe the employee has alcohol in the employee's system. The Superior Officer shall submit a written report of the incident to the Chief of Police." (Can only require breath tests for DWI arrests per NJSP)

On page 28 sec 3:5-10 sec 3 the sentence "Such calls shall only be made with department issued phones." is to be removed. (We do not supply phones)

On page 37 and 38 sec 5:2.1 the paragraph "Training and counseling shall not be considered disciplinary penalties. While training and counseling may resolve a minor offense, the matter shall be considered a performance issue and not a disciplinary action. Nothing herein shall preclude requiring training or counseling in conjunction with any other disciplinary disposition where formal disciplinary action such as an oral reprimand, written reprimand, or formal charges have been imposed as a disciplinary penalty." (This is requested to come out from our consulting group as it will be in violation of a CALEA Standard and all of our efforts will be to no avail and we will fail final inspection.)

NOW, THEREFORE BE IT RESOLVED, the Borough Council does approve of the attached Amendment to the Rules and Regulations for the Sea Girt Police Department.

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

R-195-2010 Authorizing Payment to Patock Construction Co. for the Water Treatment Plant

RESOLUTION R-195-2010

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

**RESOLUTION AUTHORIZING PAYMENT TO PATOCK CONSTRUCTION CO. FOR
THE WATER TREATMENT PLANT**

UPON MOTION of Councilman Fetzer, seconded by Council President Niemeyer, carried, that the following resolution be adopted:

WHEREAS, the Borough of Sea Girt Received a New Jersey Environmental Infrastructure Trust Loan and Grant (No. 1344001001/002) in the amount of \$ 4,605,936.00 for the project known as Improvements to the Water Treatment Plant; and,

WHEREAS, the Borough Council of the Borough of Sea Girt awarded a contract to Patock Construction Company, 43 Gilbert Street, Tinton Falls, NJ 07701 on August 11, 2010 in the amount of \$3,232,477.00; and,

WHEREAS, Patock Construction Company submitted an invoice in the amount of \$34,000.00 in October 2010 for work completed to date, and the Engineer, Hatch Mott McDonald, has reviewed and submitted Engineer's Certificate No. 1 in the amount of \$34,000 less retainage of \$680.00 for a net recommended payment to the contractor of \$33,320.00; and,

WHEREAS, the Chief Financial Officer certifies that funds are available in the Water Capital account of the Borough of Sea Girt for the payment of this invoice.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that the payment in the amount of \$33,320.00 to Patock Construction Company for the Improvements to the Water Treatment Plant be and the same is hereby approved as recommended by Hatch Mott McDonald.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to:

1. Patock Construction Company;
2. Hatch Mott McDonald
3. Chief Financial Officer, Borough of Sea Girt

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 REPORTS

Councilman Farrell reported, SMRSA: The Pump Station work has begun. They are in the process of digging up the line into the pump station and re-routing it. The work should be completed by May 15, 2011 with demolition taking place between Christmas and New Years.

- Finance: The Budget Meetings have been scheduled for 2/15 & 16 at 6:00pm at the school. Had a meeting with the CFO on 11/22 to go over the draft budget.

Councilman Bogan reported, Library: The Library has computerized their book inventory. The library will get a computer system and a card reader. This project will be done for free with the help of County.

- Recreation: There is ongoing review of the programs to make sure they are self-sufficient.

Councilman Bonacci read the Police Report:

During the seven-day period of Sunday November 28 through Saturday December 5, the police department handled a total of 167 calls for service.

The following is a breakdown of some of those calls:

<u>CALL TYPE</u>	<u>NUMBER OF CALLS</u>
Suspicious Vehicles/Persons	9
Fire Calls	5
Motor Vehicle Stops	5
First Aid Calls	4
Assist Other Agencies	4
Burglar Alarms	3
Juvenile Offenses	2
Domestic Disputes	1

MOVING VIOLATION SUMMONSES ISSUED: 1

- Dispatch: Spring Lake Heights decided to go with Belmar for a significant savings. Their agreement is only costing \$90,000. Councilman Bonacci gave a brief on the situation for those who may not have been present at prior meetings.

Councilman Fetzer reported, Water: He stated that he misspoke at the last council meeting and that the Water Treatment Plant would be finished 2011 not 2012. Construction will be starting soon on the 3rd Avenue Water project. Almost the entire project was paid for by the NGTC. Mr. Bunting commented that the work will start tomorrow. Councilman Fetzer is looking for input on an architectural feature on the building. There are eyebrows on the current roof and the question is should that be continued on the extension?

- Water/Sewer Billing: The August billing was not a quarter because there were some issues with the meter reader which is now fixed.
- Labor Negotiations: There was an initial meeting with the Teamsters to initiate negotiations for the Public Works contract which expires on December 31st. They are expecting a proposal from the Teamsters at the next meeting on December 22nd.
- Capital Budget: There was an email sent out regarding the Capital Budget for the Fire Department and this year in theory was suppose to be a year to gather funds to purchase air packs and SCBA equipment. This equipment has a shelf life and needs to be replaced with in the next 2 years. There is an opportunity for the Fire Co. to save approximately \$50,000 and acquire the equipment now. To do this that would require an immediate down payment

of \$10,000 which the Fire Co. has agreed to do. This would then be \$30,000 over the next three years to acquire all new equipment.

Councilman Crawley had no report. He thanked everyone for his great experience on Council. He also wished to echo Councilman Fetzer's comments on the SCAB equipment and hopes that they can do something to get it at such a great savings.

Motion by Councilman Fetzer that the Borough would endorse the acceleration of the acquisition of the SCBA equipment and change the wording in the capital budget if needed. Seconded by Councilman Crawley and approved by unanimous roll call vote.

Council President read the parts to the Fire report: **December 2, 2010 – Chiefs Report : Month Ending November 2010 – Business Meeting Report. Calls** – 94 in 2009: 2010 to date 97. Jan: 2 calls, Feb: 10 calls, Mar: 10 calls, April 8, May 8, June 9, July 11, August 15, September 9, October 9, November 5, December 1. Types: November- assisted police with TIC, 3 x alarm activation, fire – below the fire hearth in floor. December – alarm activation. FYI: 2008 total calls 71, 2009 total calls 94, 2010 to date 97

- DPW: The infrastructure is completed on Beacon Blvd. There will be no curbing or paving until the spring.

Council President Niemeyer stated that he is going to miss Councilman Bogan and Councilman Crawley. He appreciated their contribution to Council and having the pleasure of working with them.

Mayor Clemmensen wished everyone a Happy Holiday and New Year. On January 2nd there will be an Eggnog Social at the Firehouse. Mayor thanked the Borough Attorney, Clerk, and Administrator for all their work.

Councilman Farrell stated that the last bill for Van Dalen Brower is being paid tonight and we came in under budget. Thanked Councilman Bogan and Councilman Crawley for all the work they have done.

R-196-2010 Resolution to Pay Bills

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

RESOLUTION R-196-2010

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 December 8, 2010 in total as follows:

CURRENT FUND	\$ 132,891.57
WATER / SEWER OPERATING FUND	\$ 5,935.18

BEACH OPERATING FUND	\$ 8,147.19
GRANT FUND	\$ 0.00
ANIMAL CONTROL FUND	\$ 0.00
TRUST FUND	\$ 0.00
GENERAL CAPITAL FUND	\$ 1,602.00
WATER / SEWER CAPITAL FUND	\$ 67.50
BEACH CAPITAL FUND	\$ 0.00
RECREATION TRUST FUND	\$ 1,322.50
UNEMPLOYMENT COMP. TRUST	\$ 0.00
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
December 8, 2010



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

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

NAYS: None

ABSTAIN: Fetzer – Van Dalen Brower

ABSENT: None

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.

R-197-2010 Executive Session

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

RESOLUTION R-197-2010

**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 December 8th, 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. Personnel Matters – Appointment of Acting Police Chief
3. It is anticipated, at this time, that the date on which the stated subject matter A will be made public is:
 - A. Unknown, subject to other protections and exemptions
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

The council recessed into executive session at 8:59pm.

The council returned to open session at 9:11pm

OTHER BUSINESS

Councilman Bonacci offered and moved the following Resolution as amended, Seconded, Councilman Crawley.

R-198-2010 Appoint Acting Police Chief

RESOLUTION R-198-2010

BOROUGH OF SEA GIRT COUNTY OF MONMOUTH STATE OF NEW JERSEY

RESOLUTION APPOINTING ACTING POLICE CHIEF ROBERT P. CONWAY

WHEREAS, Edward J. Sidley Sr., Chief of the Sea Girt Police Department, has announced his retirement as an employee of the Borough effective December 31, 2010 (“retirement date”) after a long and exemplary career with the Borough; and

WHEREAS, there exists a need to appoint an Acting Chief; and

WHEREAS, the effective date shall be when the position of Chief is available and shall be filled until a Police Chief is appointed; and

WHEREAS, the Governing Body has determined Robert P. Conway, presently Captain of the Sea Girt Police Department, to be qualified to serve in the capacity of Acting Chief of Police:

NOW, THEREFORE, BE IT RESOLVED, that effective date shall be when the position of Chief is available, Robert P. Conway, shall be appointed to the position of Acting Chief of the Sea Girt Police Department, at an annual salary of \$121,094.73.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

ADJOURNMENT

Councilman Fetzer offered and moved for adjournment at 9:13pm, Seconded, Councilman Bogan. The motion was approved by unanimous vote and the meeting adjourned.

Lauren Mayer, RMC
Borough Clerk