

MINUTES - REGULAR MEETING (Virtual)
October 28, 2020

NOTICE IS HEREBY GIVEN THAT THE BOROUGH COUNCIL MEETING SCHEDULED FOR OCTOBER 28, 2020 WILL BE A VIRTUAL MEETING; THE MEETING WILL COMMENCE AT 7:00 PM. PLEASE USE THE FOLLOWING INFORMATION, INCLUDING THE PASSCODE SHOWN BELOW, TO LOG IN TO THE MEETING:

Topic: Council Regular Meeting
Time: Oct 28, 2020 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/87426407867>

Meeting ID: 874 2640 7867
Passcode: 805500 (required)

One tap mobile
+13126266799,,87426407867# US (Chicago)
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CALL TO ORDER AT 7:00 PM

The Virtual Regular Meeting of the Borough of Sea Girt Council was called to order by Mayor Farrell at 7:00 PM on Wednesday, October 28, 2020. Mayor Farrell asked for a moment of silence, after which he led those participating in the Pledge of Allegiance.

The Clerk read the Compliance Statement: This meeting is called pursuant to the provisions of the Open Public Meetings Act, C.231, P.L.1975: adequate notice of this meeting has been given by posting a notice on the Borough's website and official bulletin board and by transmitting a copy of the Notice to the Borough's two official newspapers, *The Asbury Park Press* and *The Coast Star* as required by law.

5. ROLL CALL:

	Present	Absent
Mayor Farrell	X	
Councilman Clemmensen	X	
Councilman Mastrorilli	X	
Councilman Begley	X	
Council President Fetzer	X	
Councilwoman Giegerich	X	
Councilwoman Anthony	X	

The order of the Agenda changed at this time as the Council waited for Mr. Crawley to join meeting and present information on behalf of the Manasquan First Aid Squad.

6. Presentation – West Side Bike Path Manasquan First Aid Squad

Amanda Jacobi, member of the Sea Girt Bike Path Committee, commented that the committee has met to get an understanding of the existing conditions of the bike path. She noted the path is uneven with many cracks, no lighting; gravel hazard near NJ Transit property near the Sea Girt Avenue entrance, with an overgrowth of weeds and vines, and hazardous conditions due to fallen tree limbs. The committee created a survey for residents and observations showed that safety and the environment are a priority, as well as sustainability and keeping Sea Girt green. At the present time, the Committee has not determined a cost for the proposed rehabilitation of the area. Mrs. Jacobi thanked Mayor Farrell, the Borough Council and DPW for their support. She asked for a vote to continue the project and is looking into applying for a grant in 2021. Mrs. Carafa stated that she submitted a grant based on the initial concept plan. Councilman Mastroilli thanked the Committee for their efforts.

7. Presentation – Manasquan First Aid Squad

Tom Crawley participated on behalf of the First Aid Squad and commented that the First Aid Squad has been struggling to respond to calls during the daytime because of the lack of qualified responders. There are approximately 300 service calls to Sea Girt/600 to Manasquan; the nightshift is staffed from 7:00 pm through 6:00 am and has available volunteers. He noted that Sea Girt has five registered volunteers and only one is currently active. Their plan to address the lack of daytime response at this time is 1) dual tap out with Brielle First Aid, and 2) arrangement with JFK Hackensack-Meridian to respond as backup; patients are charged if the paid squad responds.

The following proposal was presented to the squad members to be voted on November 10th:

- Asked the municipalities (Manasquan and Sea Girt) to share cost of hiring paid EMT's for daytime response at a maximum estimated annual cost of \$270,000;
- the positions will be offered as part-time only without benefits (however, he did note that there is a lack of qualified personnel available to staff these positions);
- The paid staff would be required to follow squad protocols and use squad equipment; they do not anticipate any change in operations;
- the Boroughs of Manasquan and Sea Girt would enter into Interlocal Agreement to share the cost of this service;
- For summer season – possibly utilize lifeguards as response team during daytime hours

Dr. Crawley was asked to explain the requirements for certification as an EMT – he noted that some requirements are CPR Certification and State EMT Course, a mandated training program of over 280 hours; and certifications must be renewed every three years; volunteers they must also be trained as drivers; other on-going required training requirements are currently in effect. Mayor Farrell and other Councilmembers thanked Dr. Crawley for his efforts on behalf of Sea Girt and Manasquan residents.

8. MINUTES

- **Resolution No. 185-2020:** Approve Minutes, October 14, 2020 Regular Meeting - Virtual

UPON MOTION of Councilman Mastroilli, seconded by Council President Fetzer, carried, that the Minutes of the Virtual Regular Meeting held October 14, 2020 be and the same are hereby approved as presented.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Mastrorilli	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

9. OPEN DISCUSSION:

Councilman Clemmensen commented that Freeholder Director, Arnone asked him to remind business owners to apply to the County for CARES Act funding before December 31st.

Councilwoman Anthony thanked everyone who participated in the Halloween "car ride" through Crescent Park. She noted the food drive, the events at Edgemere Park and the concert were successful. She recognized the sponsor's and those who contributed donations; she also thanked DPW, Fire Department and Police Department for their efforts

Councilman Mastrorilli recognized recently deceased resident Molly Tobin noting that she was a longtime resident who was heavily involved with the community.

10. OLD BUSINESS: None

11. NEW BUSINESS

A. Resolution No. 186-2020: Authorize payment to Precise Construction, Inc. in the amount of \$11,640 for emergency repairs to Baltimore Outfall

UPON MOTION of Council President Fetzer, seconded by Councilwoman Giegerich, carried, that the following Resolution be and the same is hereby adopted:

WHEREAS, Borough of Sea Girt QPA authorized an emergency repair of the Baltimore Boulevard Outfall by Precise Constructions, Inc. in the amount of \$11,640.00 on September 9, 2020; and,

WHEREAS, the Borough Engineer has inspected the work, found it to be satisfactory and recommends that the invoice submitted by Precise Construction, Inc. be approved for payment.

NOW, THEREFORE, BE IT RESOLVED that the payment to Precise Construction, Inc. in the amount of \$11,640.00 be and the same is hereby approved.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be supplied to Precise Construction, Inc., and the Borough Engineer for their information and the Borough CFO for further action.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Mastrorilli	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

B. Resolution No. 187-2020: Authorize additional Manasquan Bank account signatory
– Jane Hunnewell

UPON MOTION of Councilman Mastrorilli, seconded by Council President Fetzer, carried, that the following Resolution be and the same is hereby adopted:

BE IT RESOLVED, by the Council of the Borough of Sea Girt that, in addition to those previously authorized (Lorraine P. Carafa, Edward J. Hudson, Karen Brisben and F. Ken Farrell), the following Borough representative is hereby authorized to sign checks or withdrawal slips; a single signature is required for payroll checks and any two of the authorized signatures are required for all other checks: Jane Hunnewell

BE IT FURTHER RESOLVED that the signature cards with the signatures of the persons authorized to sign be forwarded to Manasquan Bank.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Mastrorilli	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

C. Resolution No. 188-2020: Adopt the Monmouth County Multi-Jurisdictional Hazard Mitigation Plan

UPON MOTION of Council President Fetzer, seconded by Councilman Mastrorilli, carried, that the following Resolution be and the same is hereby adopted:

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

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

WHEREAS, the New Jersey Office of Emergency Management has provided federal mitigation funds to support development of an updated mitigation plan; and,

WHEREAS, a Multi-Jurisdictional Hazard Mitigation Plan has been developed by the County Office of Emergency Management and Mitigation Planning Committee; and,

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

WHEREAS, the draft plan was provided to each participating jurisdiction through a website hosted by Michael Baker International, the contracted vendor assisting with the planning process. Links were also posted on the Emergency Management and Division of Planning websites so as to introduce the planning concept and to solicit questions and comments and to present the Plan and request comments, as required by law; and,

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

1. The Monmouth County Multi-Jurisdictional Hazard Mitigation Plan, as submitted on June 23, 2020 by the Monmouth County Office of Emergency Management to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency and subsequently approved by both agencies on August 27, 2020, be and is hereby adopted as an official plan of the County or Monmouth; with the required yearly updates and minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The Borough of Sea Girt departments identified in the Plan are hereby directed to further pursue potential or suggested implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Borough of Sea Girt and this resolution shall not be interpreted so as to mandate any such appropriation.
4. The Borough of Sea Girt Emergency Management Coordinator and/or Deputy Emergency Management Coordinator is designated to coordinate with other offices and shall periodically
5. Report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the New Jersey Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date agree upon by all stakeholders.

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified true copy of this resolution to the Monmouth County Office of Emergency Management Coordinator, the Borough of Sea Girt Emergency Management Coordinator and Deputy Emergency Management Coordinator.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Mastrorilli	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

D. Resolution No. 189-2020: Authorize purchase, Kaldor Emergency Light, LLC, Marlboro, NJ, \$2,006.30

UPON MOTION of Councilman Mastrorilli, seconded by Councilwoman Giegerich, carried, that the following Resolution be and the same is hereby adopted:

WHEREAS, it is necessary for the Borough of Sea Girt to purchase emergency lights, siren and speakers equipment for the new Gator for use by the Beach Utility and authorize labor costs to remove equipment from the old vehicle and transfer to the new vehicle; and,

WHEREAS, said equipment and services are available pursuant to State Contract No. 00739 from Kaldor Emergency Light, LLC, Marlboro, NJ at the cost of \$2,006.30; and,

WHEREAS, the Chief Financial Officer has certified that funds are available in the Jr. Lifeguard account #0-25-56-200-318 for the purchase of this equipment and labor charge associated therewith; and,

WHEREAS, the amount of this purchase will increase the aggregate total of all purchases authorized within one year of the date of this Resolution from this vendor over the \$17,500 threshold, therefore requiring Borough Council approval.

NOW, THEREFORE, BE IT RESOLVED that the purchase of emergency lights, siren and speakers equipment and the labor to install the same pursuant to State Contract No. 00739 from Kaldor Emergency Lights, LLC, Marlboro, NJ at the cost of \$2,006.30 be and the same is hereby approved.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be supplied to the Lifeguard Chief and the Chief Financial Officer for further action.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Mastrorilli	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

E. Resolution No. 190-2020: Authorize curfew, October 30 and 31, 2020

UPON MOTION Councilwoman Anthony, seconded by Council President Fetzer, carried that the following Resolution be and the same is hereby adopted:

WHEREAS, the Borough Council of the Borough of Sea Girt feels it would be in the best interests of the citizens of the Borough of Sea Girt to enact a curfew for the evenings of October 30th and 31st, 2020.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth that a curfew be enacted beginning at 8:00 PM on October 30th through 7:00 AM on October 31, inclusive, and beginning at 9:00 PM on October 31 through 7:00 AM on November 1, inclusive, for all children under the age of 17, unless accompanied by an adult.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to Chief Kevin Davenport, Sea Girt Police Department for distribution.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Mastrorilli	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

F. Resolution No. 191-2020: Accept resignation of full-time SLEO II Frank Ciufu;

UPON MOTION of Councilwoman Anthony, seconded by Council President Fetzer, carried, that the following Resolution be and the same is hereby adopted:

WHEREAS, Chief Davenport of the Sea Girt Police Department has advised that full-time Class II Special Law Enforcement Officer Frank Ciufu has tendered his resignation effective October 26, 2020 after serving the Borough since 2015.

NOW, THEREFORE, BE IT RESOLVED that the resignation of Class II Special Law Enforcement Officer Frank Ciufu be and the same is hereby accepted, effective October 26, 2020, with thanks for his service to the Borough of Sea Girt.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to Special Law Enforcement Officer II Frank Ciufu and Chief Davenport for their information and the Chief Financial Officer for his action.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Mastrorilli	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

G. Resolution No. 192-2020: Appoint full-time SLEO II, James Szewczuk

UPON MOTION of Councilman Mastrorilli, seconded by Councilwoman Giegerich, carried, that the following Resolution be and the same is hereby adopted:

WHEREAS, the Borough of Sea Girt Police Department is in need of the services of a full-time Class II Special Law Enforcement Officer to support its 2020 operations and to fill the vacancy left by the resignation of Special Law Enforcement Officer II Frank Ciufu; and,

WHEREAS, the Chief of Police has reviewed the applications and references of qualified candidates, and recommends the appointment of James Szewczuk to this position.

NOW, THEREFORE, BE IT RESOLVED that James Szewczuk be appointed as the full-time Class II Special Law Enforcement Officer for the Borough of Sea Girt, at the hourly rate of \$16.00 per hour, effective on November 2, 2020.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to Special Law Enforcement Officer James Szewczuk and Chief Davenport their his information and the Chief Financial Officer for his action.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Mastrorilli	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

H. Resolution No. -2020: Donation of Phil and Tina Vasan, trees for Crescent Park (Borough property). – *carried*.

Council President Fetzer questioned if trees could remain on his property; he asked if funds can be utilized somewhere else within the Borough; he commented it's too focused to benefit an individual as opposed to the needs of the community; irrigation matter is also a concern.

Councilwoman Anthony agrees with Council President Fetzer's comments; she noted that there are other areas in Crescent Park which are in dire need of removal evasive species; she would like additional time to further review.

Mr. Vasan commented there has been longtime interest in the preservation and beautification; he is encouraged by the efforts to remove the evasive species and the understory for the long term integrity of The Maritime Forest; there is also an interest to provide the planting of red oak trees, which could provide the same canopy to the northern part of Carriage Way; he wants to work Jim Sandford and Bill Brash within the Borough's guidelines.

UPON MOTION of Council President Fetzer, seconded by Councilwoman Anthony, carried, that the said matter be carried until next council meeting scheduled for November 10th for additional review.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Mastrorilli	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Giegerich	X			
Councilwoman Anthony	X			

12. ADMINISTRATOR REPORTS

- A. Next Council meeting is scheduled for *Tuesday, November 10th* as Borough Offices will be closed on Wednesday, November 11th; in honor of Veterans' Day.

- B. **Halloween 2020:** Given the on-going concerns about increasing numbers of COVID19 positive test results, the NJ Department of Health is recommending taking precautions if you intend to allow your child to go trick-or-treating this year:
- First and foremost, do not participate in Halloween activities if you or a household member have a known exposure to COVID-19, are sick or symptomatic, or have been diagnosed with COVID-19 and has not yet met the criteria for discontinuing isolation. The full guidance issued by the NJ Department of Health is posted on the Borough's website, www.seagirtboro.com under the News/Information tab.
 - Chief Davenport has recommended that if you intend to distribute treats this year, please identify your home by leaving your porch light on and if you will not be offering treats, please keep your porch light off for the evening. Limit groups to current household members, practice social distancing and wear a face mask.
- C. **Public Safety Reminder:** There have been a rash of high-end vehicles vehicle thefts from the shore area from unlocked vehicles with key fobs left inside; for your safety and the protection of your personal property, remove all key fobs and **LOCK YOUR CARS AND HOMES.**
- D. **Public Works Updates:**
- **Leaf Pick-Up** begins October 19th through December 15th, 2020, inclusive; please do not mix grass, flowers, branches or other debris with the leaves; do not place piles of leaves within 15 feet of a storm drain or the intersection of Rt. 71; no leaves permitted on Rt. 71.
 - **Wednesday, November 11th:** Veteran's Day Celebrated; Borough Offices closed; no trash pickup; Zones 1 and 2 pick-up on November 12; brush pick-up will be completed by Friday, November 13.
- E. **Coronavirus Update:**
- The NJ Department of Health has issued an updated "Close Contact" definition based on CDC guidance: it is now determined to be a total 15 minutes or more of close contact (within 6 feet) exposure to an infected person during a 24-hour period. The exposure must occur when the infected person is considered to be infectious which begins two days prior to symptom onset of specimen collection for asymptomatic cases and extends for most people for 10 days after onset of symptoms and 1 day after fever has resolved.
 - **Outdoor Dining:** Follow up to comment from a resident during the last Council meeting stating that there were two complaints about violations of the Outdoor Dining Protocol; both complaints were investigated by our Police Department; neither complaint was substantiated.
 - Pursuant to Special Ruling 2020-21 issued by the Division of Alcohol Beverage Control, upon submission of an application by a licensed establishment, outdoor dining may be extended to March 31, 2021 from the previously authorized end date of November 30, 2020. The applications for extension will be available on the ABC website beginning on or about October 30 and must be submitted by November 23 to enable timely Division processing; there is a \$10 processing fee required. I have requested additional guidance regarding whether a municipality is permitted to opt-out of allowing the extension. If the opt-out is not an option, the Borough will have to readopt its Protocol pursuant to Resolution No. 112-2020 (attached).

F. Washington Boulevard Mid-Block Crosswalk: In response to the Council's request for additional information, please note the following:

- Per the Planning Board Chairman, the request was included as a recommendation as an improvement to the Commercial District in the Citizens Business Districts Report submitted to both the Council and the Planning Board earlier this year;
- the Borough Engineer and I walked the street on October 22 and due to current conditions, there is only one viable location for the crosswalk in the mid-block area (see the sketch attached). The proposed crosswalk in this location will reduce the existing parking by the at least eight (8) spaces and will require the installation of additional handicapped ramps.

E. Election Day 2020: November 3, 2020:

New Information: County Clerk Hanlon, in partnership with the Monmouth County Board of Elections, is launching a supplemental system to help voters know when their ballots have been received by the County Board of Elections for counting. The ballot tracking system "Monmouth County BallotTrax" provides online ballot tracking and offers enhanced features of status notifications to voters. Voters can sign up for the County BallotTrax at <https://monmouthcounty.ballottrax.net/voter/> and enable notifications via call, email or text message. The direct link to the Facebook post regarding BallotTrax can be found here: <https://www.facebook.com/Monmouthcountyclerk/posts/2589210374723192>

Please note that "Ballottrax" is not automatically provided to voters; the system requires the voter to proactively sign up for the service at <https://monmouthcounty.ballottrax.net/voter/>

Previously Reported information: Reminder that the 2020 Election voting will primarily be through mail-in-ballots. The County Clerk advised that she began mailing these ballots to all active registered voters on or about October 5 and ballots should have been received by October 10, 2020; if you have not received your mail-in ballot yet, *please contact the County Clerk's Office at 732.431.7790* :

- There will be "drop boxes" placed at various locations in the County for those voters choosing not to return the mail-in ballot through the USPS; the two drop-box locations closest to the Borough are the Wall Township Municipal Building, 2700 Allaire Road or the Belmar Municipal Building, 601 Main Street;
- Those choosing *not* to return the mail-in ballot may vote provisionally (i.e., on a paper ballot *only*) at the Borough's polling location; note that *provisional ballots will be counted after all mail-in ballots are counted*.
- Machine voting will be limited to those certifying that they have a disability that prevents them from completing a paper ballot.

In addition to information included here and posted on the Borough's website, the County Clerk has a full webpage that covers all information relating to the election process, as well as video tutorials and FAQs: <https://www.monmouthcountylvotes.com/elections/general-election/>

13. QPA REPORT (of activity since previous Council Meeting):

- The Borough continues to purchase necessary personal protective equipment for our employees including masks, gloves, building and equipment sanitizers and other equipment from various vendors to ensure their safety during this on-going crisis.

14. **COUNCIL REPORTS:** Councilwoman Anthony and Council President Fetzer had no report.

Councilman Clemmensen reported as follows:

- Reiterated the importance of locking vehicles and taking key fobs out of the vehicle, noting that these stolen vehicles are being shipped out of state;
- Trash/Recycling – suggested for consideration in 2021: when there is a 5th Wednesday of the month, we may ask residents to voluntarily leave materials at the curb for pickup.

Councilman Mastrorilli thanked the Bike Path and Halloween Committees for their efforts.

Councilman Begley reported as follows:

- Thanked the Recreation and Halloween Committee for the Halloween event;
- He noticed a lot of potholes on Carriage Way; would like to address in the next few months;
- Public Safety Committee – there was an accident at the corner of First and Beacon Boulevard; thankfully nobody was hurt; he thanked all responders.

Councilwoman Giegerich reported as follows:

- Personnel Committee – The search firm withdrew the combined advertisement for the Clerk and Business Administrator position.

Mayor Farrell read the following COAH summary:

- The New Jersey Supreme Court created the Mt. Laurel doctrine which imposes upon every municipality in New Jersey a constitutional obligation to provide for its fair share of affordable housing. Pursuant to this doctrine, municipalities historically could either voluntarily plan to meet its affordable housing obligation through either petitioning the New Jersey Council on Affordable Housing (“COAH”) for substantive certification or file a declaratory judgment action with the Superior Court seeking a final judgment of compliance and repose. If a municipality does not affirmatively plan to meet its affordable housing obligation, it is potentially subject to builder’s remedy litigation.
- A builder’s remedy litigation is a lawsuit brought by a property owner/developer where the plaintiff seeks to have the Court suspend a municipality’s zoning regulations and permit high density residential housing with an affordable housing set aside. Stated differently, the property owner/developer seeks to compel the municipality to meet its affordable housing obligation in the absence of the municipality planning to meet its obligation.
- The Borough of Sea Girt did not affirmatively adopt a plan to meet its affordable housing obligation before either COAH or the Court. The owner of property located at Block 76, Lots 1 and 2, Block 77, Lots 16 and 17 (the “Properties”) located near the intersection of Washington Blvd. and Fifth Avenue (the “Sitar Companies”) in the District 2 East Commercial Zoning District brought a builder’s remedy lawsuit against the Borough seeking a court order setting aside the Borough’s zoning for the Properties and permitting

them to build a total of 42 apartments with a 15% set aside (36 market rate units; 6 affordable housing units). The Borough is in discussions with the Sitar Companies to resolve the Sitar builder's remedy litigation.

- In response to the Sitar Companies builder's remedy litigation, and to address potential future claims against the Borough, the Borough filed a *Mt. Laurel* declaratory judgment action seeking a declaration from the Court: (1) determining the Borough's constitutionally mandated affordable housing obligation; and (2) permitting the Borough to develop a constitutionally compliant affordable housing plan. This lawsuit will prevent any other property owners/developers in Sea Girt from bringing another builder's remedy litigation against the Borough. It also prevents the Court from imposing high density residential zoning elsewhere in the Borough. And, it also keeps the power to zone with the Borough Council and takes away this threat from another property owner/developer.
- We will keep the public apprised of developments with both the builder's remedy litigation and the *Mt. Laurel* declaratory judgment action as they arise.

15. **Resolution No. 193-2020: Payment of bills**

BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt that the bills be paid as appearing on the attached Bill List dated October 23, 2020 in the totals as follows:

CURRENT FUND	\$ 694,812.69
WATER/SEWER OPERATING FUND	\$ 98,701.34
BEACH OPERATING FUND	\$ 1,092.06
TRUST FUND	\$ 1,583.40
RECREATION TRUST FUND	\$ 46.26
BEACH CAPITAL	\$ 11,640.00
GENERAL CAPITAL	\$ 11,873.47

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Mastrorilli	X			
Councilman Begley	X			
Council President Fetzer	X			
Councilwoman Glegerich	X			
Councilwoman Anthony	X			

16. **PUBLIC PARTICIPATION ON ANY SUBJECT** (Comments limited to 7 minutes)

Deborah Bellaran, Crescent Place, commented that it is difficult to park on the street because of nearby business employee parking; she added that cars park over the piles of leaves, restricting DPW access; she is asking for the Council to adopt an Ordinance limiting daytime parking on the street. She also noted that she requested tree trimming in front of her house over two years ago; Shade Tree Commission responded that Aspen Tree Service plans to trim trees in the area the first week in November; she is concerned with the timing of the upcoming pavement project.

Tom Haag, Baltimore Boulevard commented on the outdoor dining at Harrigan's Pub, complaining of noise and people smoking near his property line. He also stated his concern that allowing outdoor dining at Harrigan's Pub would set a precedent. He asked if Council had a plan to

handle the situation. Mayor Farrell responded Council doesn't have a say and he does not support the continuation of outdoor dining beyond that which is allowed by the State. Attorney, Raymond Bogan responds council is not bound by a general statement made by a business owner or a member of the Planning Board not in relation to a pending application. He also reiterated that the outdoor dining approval for this year does not carry any precedential value to a future application, if one was to be submitted.

Birgit Graham, Chicago Boulevard, asked Councilwoman Giegerich the reason for the termination of Mrs. Carafa; she is an excellent employee and a great asset to the Borough. Councilwoman Giegerich responded that Mrs. Carafa is not being terminated; the Council has determined that the roles of Borough Administrator and Clerk are being bifurcated in the best interests of Sea Girt.

Norm Hall, Baltimore Boulevard, commented on Mr. Haag's remarks; he clarified the Planning Board and Downtown Revitalization Committee are separate entities. He also noted that in his opinion, if one Borough restaurant receives approval for outdoor dining, it should be considered for all other restaurants in the community.

Tom Schnurr, Beacon Boulevard, asked where in the mid-block on Washington Boulevard there is a viable cross-walk location; Mrs. Carafa responded that it is located between the driveway of the old McKelvey office and the auto detailing facility, then south across the street. He also asked if there is a status on the use of First Avenue for staging /drop off zone. Attorney Ray Bogan responded he had not had further discussion with the County but intends to meet with them in the near future; other court proceedings delayed further action on this matter. Mr. Schnurr questioned the estimated costs associated with Ordinance No. 20-2019 regarding improvements to the library and municipal building.

Deborah Bellaran, Crescent Place, asked what steps will be taken to address the parking issue; Mrs. Carafa responded further discussion is necessary with Police Chief and will report back at the November 10th meeting.

Leslie Dial, Crescent Place, stated that she support Mrs. Bellaran's comments and also complained about cars idling while parked.

Tara Zilioli, Crescent Place, also supported Mrs. Bellaran's comments.

There being no further comments, the comment period was closed. There being no further business, and **UPON MOTION** of Council President Fetzer, seconded by Councilman Mastrorilli, carried, that the meeting be finally and immediately adjourned at 9:00 PM.

Lorraine P. Carafa

LORRAINE P. CARAFA, RMC
Municipal Clerk

P.O. Type: All

Range: First to Last

Format: Condensed

Open: N Paid: N Void: N
Rcvd: Y Held: Y Aprv: N
Bid: Y State: Y Other: Y Exempt: Y

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
20-00002	01/10/20	00045	SEA GIRT BOARD OF ED	Second half of 2020 School Tax	Open	396,637.92	0.00 B
20-00009	01/10/20	01688	HORIZON BC/BS OF NJ DENTAL	2020 Dental	Open	2,983.34	0.00 B
20-00010	01/10/20	PRINCIPA	Principal Life Insurance Co	Life Ins. 2020	Open	246.76	0.00 B
20-00011	01/10/20	01142	STANDARD INSURANCE COMPANY	Short term disability Ins.	Open	278.25	0.00 B
20-00019	01/13/20	00964	A'S GARDEN & HOME CENTER	misc	Open	89.67	0.00 B
20-00022	01/13/20	AMM01	Apruzzese, McDermott, Mastro	2020 Legal fees	Open	49.50	0.00 B
20-00023	01/13/20	00295	ASBURY PARK PRESS	Legal advertising	Open	330.35	0.00 B
20-00024	01/13/20	00046	AQUATIC SERVICES - E. Runyon	Lab Testing Services	Open	450.00	0.00 B
20-00028	01/13/20	CLF01	Carton Law Firm	Prosecutor sevices	Open	1,333.33	0.00 B
20-00035	01/13/20	CROSS01	Cross Over Networks	IT services	Open	4,321.06	0.00 B
20-00044	01/13/20	00016	JERSEY CENTRAL POWER & LIGHT	Electric Public Works	Open	1,218.05	0.00 B
20-00045	01/13/20	00016	JERSEY CENTRAL POWER & LIGHT	Electric Street Lights	Open	2,614.43	0.00 B
20-00047	01/13/20	00016	JERSEY CENTRAL POWER & LIGHT	Electric Service Paddle Tennis	Open	12.09	0.00 B
20-00048	01/13/20	00016	JERSEY CENTRAL POWER & LIGHT	Electric Service Water Plant	Open	2,883.94	0.00 B
20-00055	01/14/20	KEK01	The Law Office of	Legal Services, Planning Brd	Open	1,666.00	0.00 B
20-00062	01/14/20	MWCRI01	Monmouth Wire and Computer	Electronic Disposal	Open	150.00	0.00 B
20-00066	01/14/20	00051	NJ NATURAL GAS CO.	Gas Service	Open	659.84	0.00 B
20-00067	01/14/20	00051	NJ NATURAL GAS CO.	Gas Service Library	Open	34.17	0.00 B
20-00068	01/14/20	00051	NJ NATURAL GAS CO.	Gas Service Paddle Tennis	Open	34.17	0.00 B
20-00071	01/14/20	00614	Optimum	Beach - Internet, Phone, TV	Open	35.43	0.00 B
20-00072	01/14/20	00614	Optimum	Water & DPW - Inter, TV, Phone	Open	310.77	0.00 B
20-00080	01/14/20	SBS01	Stewart Business Systems	Printer/Copier Servicing	Open	58.62	0.00 B
20-00081	01/14/20	SBS01	Stewart Business Systems	Printer/copier servicing	Open	204.41	0.00 B
20-00088	01/14/20	00096	A.T. THORN & SON	plumbing Services	Open	885.99	0.00 B
20-00094	01/14/20	00349	VERIZON WIRELESS	cell phones	Open	312.29	0.00 B
20-00096	01/14/20	00349	VERIZON WIRELESS	2020 Service	Open	573.99	0.00 B
20-00098	01/14/20	01786	TOWNSHIP OF WALL	Court interlocal	Open	32,255.50	0.00 B
20-00102	01/14/20	00099	ASSOCIATED HUMANE SOCIETY	Animal Control services	Open	463.00	0.00 B
20-00145	01/24/20	00016	JERSEY CENTRAL POWER & LIGHT	Electric Beach	Open	139.66	0.00 B
20-00176	01/31/20	01166	Montenegro, Thompson,	Legal Services	Open	2,800.00	0.00 B
20-00187	02/05/20	00964	A'S GARDEN & HOME CENTER	beach	Open	30.98	0.00 B
20-00265	03/03/20	H2M	H2M Associates, Inc.	Engineering	Open	475.00	0.00 B
20-00311	03/18/20	DFENCING	D's Fencing LLC	Privacy Fence DPW yard	Open	11,500.00	0.00
20-00356	04/01/20	ACF02	Atlantic Coast Fibers LLC	Recycling	Open	2,421.84	0.00 B
20-00582	06/24/20	PASHMAN	Pashman Stein Walder Hayden PC	Sitar litigation	Open	888.00	0.00 B
20-00806	08/20/20	KEK01	The Law Office of	Hughes, 2 Seaside B 5, L 7	Open	336.00	0.00 B
20-00834	09/01/20	01928	PRECISE CONSTRUCTION, INC	Repair Outfall pipe	Open	11,640.00	0.00 B
20-00850	09/08/20	GFS01	Government Forms & Supply LLC	KN95 Masks	Open	771.40	0.00
20-00862	09/10/20	01686	W.B. MASON COMPANY, INC.	Office supplies	Open	106.77	0.00
20-00867	09/11/20	JPM01	Jersey Professional Management	Recuit BA	Open	4,400.00	0.00 B
20-00869	09/16/20	AMAZON	Amazon.Com	Requisition Request 20-311	Open	150.58	0.00
20-00870	09/16/20	00078	NJ STATE LEAGUE OF MUN.	Conference registartion	Open	110.00	0.00
20-00873	09/17/20	01686	W.B. MASON COMPANY, INC.	Storage boxes	Open	25.68	0.00
20-00879	09/17/20	00144	BARGS LAWN EQUIPMENT	Requisition Request 20-309	Open	286.18	0.00
20-00880	09/17/20	00144	BARGS LAWN EQUIPMENT	Requisition Request 20-306	Open	96.86	0.00
20-00881	09/17/20	01625	GRAINGER	Requisition Request 20-307	Open	490.70	0.00
20-00892	09/23/20	AMAZON	Amazon.Com	Computer monitor	Open	373.47	0.00
20-00895	09/23/20	KEK01	The Law Office of	Reilly, 222 Brooklyn B39, L12	Open	476.00	0.00 B
20-00906	09/28/20	AMAZON	Amazon.Com	Requisition Request 20-314	Open	139.99	0.00
20-00930	10/01/20	00053	VAN WICKLE AUTO SUPPLY	Misc	Open	368.80	0.00 B

October 23, 2020
02:09 PM

BOROUGH OF SEA GIRT
Bill List By P.O. Number

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PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	
20-00932	10/02/20	00029 SEA BREEZE FORD	Reapir Car door	Open	330.05	0.00		
20-00947	10/14/20	01693 FOLEY INC.	Freight charges	Open	181.47	0.00		
20-00948	10/14/20	GUARDIAN Guardian Tracking LLC	Annual Subscription renewal	Open	1,698.00	0.00		
20-00949	10/14/20	SPORTS Sports Imports, Inc.	Vertec Jump Trainer	Open	724.85	0.00		
20-00953	10/15/20	00144 BARGS LAWN EQUIPMENT	Echo Blower	Open	473.99	0.00		
20-00954	10/15/20	01591 ORIENTAL TRADING CO., Inc.	Halloween supplies	Open	59.43	0.00		
20-00955	10/01/20	UARM01 Up N Runnin' II, LLC	Repair 928G loader	Open	1,273.39	0.00		
20-00961	10/22/20	00057 NJ TRANSIT CORP.	Occupancy Permit P1333-3368-04	Open	216.00	0.00		
20-00962	10/22/20	HENDERSO J. R. Henderson Labs, Inc.	Sewer Gas testing	Open	661.00	0.00		
Total Purchase Orders:		59	Total P.O. Line Items:	0	Total List Amount:	494,738.96	Total Void Amount:	0.00

20-00078	State of New Jersey	Public Water Tax	352.01
	US Bank	MCIA Bond Payment	307,181.25
	SEMMUA	3rd Quarter Payment	<u>17,477.00</u>
		Total	819,749.22

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	0-01	694,812.69 462,293.94	0.00	462,293.94	0.00	0.00	462,293.94
WATER OPERATING	0-05	98,701.34 6,209.83	0.00	6,209.83	0.00	0.00	6,209.83
BEACH OPERATING	0-09	1,092.06	0.00	1,092.06	0.00	0.00	1,092.06
TRUST OTHER	0-25	1,583.40	0.00	1,583.40	0.00	0.00	1,583.40
BOARD OF RECREATI	0-26	46.26	0.00	46.26	0.00	0.00	46.26
Year Total:		471,225.49	0.00	471,225.49	0.00	0.00	471,225.49
BEACH CAPITAL	B-08	11,640.00	0.00	11,640.00	0.00	0.00	11,640.00
GENERAL CAPITAL	C-04	11,873.47	0.00	11,873.47	0.00	0.00	11,873.47
Total of All Funds:		819,749.22 494,738.96	0.00	494,738.96	0.00	0.00	494,738.96