

MINUTES BOROUGH OF SEA GIRT COUNCIL
RE-ORGANIZATION/REGULAR MEETING VIA ZOOM PLATFORM
January 5, 2022 - 7:00 PM

The Virtual Regular Meeting of the Borough of Sea Girt Council was called to order by Mayor Don Fetzer at 7:08 PM on Wednesday, January 5, 2022. Mayor Fetzer led those participating in the Pledge of Allegiance.

The Municipal Clerk read the compliance statement: This meeting is called pursuant to the provisions of the Open Public Meetings Act, Chapter 231, P.L.1975: adequate notice of this meeting has been given by posting the Notice on the Borough's Bulletin Board and by transmitting the Notice to the Borough's two official newspapers, *The Asbury Park Press* and *The Coast Star*, as required by law.

Mayor Fetzer announced the resignation of Councilwoman Geigerich effective January 3, 2022; he thanked her for her service.

1. ROLL CALL

	Present	Absent
Mayor Fetzer	X	
Councilman Clemmensen	X	
Councilman Perry	X	
Councilman Zakin		
Council President Anthony	X	
Councilperson		
Councilwoman Richman	X	

2. BOROUGH ATTORNEY RAYMOND BOGAN ADMINISTERED THE OATH OF OFFICE TO:

- a. Donald Fetzer - Mayor – unexpired term through December 31, 2023

3. MAYOR FETZER ADMINISTERED THE OATH OF OFFICE TO:

- b. Bryan Perry – Council Member - unexpired through December 31, 2022
c. Alan Zakin – Council Member – full term through December 31, 2024
d. Dr. Maria Richman – Council Member – full term through December 31, 2024
e. Chief, Fire Department – William Loughran, Jr.
f. Fire Line Officers – Brandon Fetzer, Earl Ownes and Devon Clancy

4. ELECTION OF COUNCIL PRESIDENT – UPON MOTION of Councilman Perry, seconded by Councilman Zakin, carried that Diane Anthony be and is hereby appointed as Borough Council President for the year 2022.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony				X
Councilperson				
Councilwoman Richman	X			

5. **CONSENT AGENDA - UPON MOTION** of Council President Anthony, seconded by Councilwoman Richman, carried, that the following Resolutions be and the same are hereby adopted:

- a. **R-01-2022:** Reorganization Assignments (read aloud by the Municipal Clerk)

2022 REORGANIZATION ASSIGNMENTS

PUBLIC SAFETY	
Chair	Mark Clemmensen
Member	OPEN
Member	Donald Fetzer
Police	Mark Clemmensen
Fire	Donald Fetzer
Zoning-Code Enforcement	OPEN
PERSONNEL/ADMINISTRATION	
Chair	OPEN
Member	Mark Clemmensen
Member	Diane Anthony
PUBLIC BUILDINGS/GROUNDS/LANDSCAPING	
Chair	Diane Anthony
Member	Dr. Maria Richman
Member	Bryan Perry
PUBLIC WORKS	
Chair	Mark Clemmensen
Member	Diane Anthony
Member	Donald Fetzer
WATER/SEWER DEPARTMENT	
Chair	Donald Fetzer
Member	Mark Clemmensen
Member	Bryan Perry
BEACHFRONT MANAGEMENT	
Chair	Dr. Maria Richman
Member	Alan Zakin
Member	OPEN
RECREATION	
Chair	Bryan Perry
Member	Alan Zakin
Member	Diane Anthony
LIBRARY	
Chair	Alan Zakin
Member	Diane Anthony
Member	Bryan Perry

ENVIRONMENTAL/WETLANDS CONSERVATION	
Chair	Diane Anthony
Member	Dr. Maria Richman
Member	OPEN
INSURANCE/LABOR NEGOTIATIONS	
Chair	Donald Fetzer
Member	Alan Zakin
Member	Mark Clemmensen
FINANCE/CAPITAL IMPROVEMENTS/EQUIPMENT	
Chair	Bryan Perry
Member	Alan Zakin
Member	Donald Fetzer
SPECIAL COMMITTEES:	
JIF SAFETY COMMITTEE	
Administration	James Gant
Police Department	Chief Justin Macko
Fire Department	William Loughran
Public Works Department	Michael McArthur
Beach Department	James Freda
EMERGENCY MANAGEMENT COUNCIL	
Mayor and Director	Donald Fetzer
Public Safety	Mark Clemmensen
Member	Ray Bogan
Emergency Management Coordinator	Timothy Harmon
Deputy Emergency Management Coordinator	Chief Justin Macko
Administration Representative	James Gant
Finance Representative	Amy Spera
Law Enforcement Representative	Chief Justin Macko
Fire Department Representative/Safety Officer	William Loughran
EMS Representative	Jerry Brown (Manasquan First Aid)
Public Works Representative	Michael McArthur
Oceanfront Water Ops	James Freda
Health Department Representative	Diane Anthony
Sea Girt School Representative	Rick Papera
MONMOUTH MUNICIPAL JOINT INSURANCE FUND	
Fund Commissioner	James Gant
Alternate Fund Commissioner	Jane Hunnewell
APPOINTMENTS AFFIRMED BY COUNCIL:	
Business Administrator	James Gant
ADA Coordinator/Alternate	James Gant/Michael McArthur

Assistant, Finance Office	Jane Hunnewell
CDBG Representative/Alternate	James Gant/Jane Hunnewell
Chief Finance Officer	Amy Spera
Clean Communities Coordinator	Michael McArthur/Trevor Palmer
Borough Clerk/Registrar	Dawn Harriman
Alternate Deputy Registrar	Brooke Koegel
Deputy Tax Collector	Brooke Koegel
Designated Employer Representative- (Drug/Alcohol Testing)	Richard Lyster
Director of Beachfront Operations and Project Manager	Timothy Harmon
Emergency Management Coordinator	Timothy Harmon
Deputy Emergency Management Coordinator	Chief Justin Macko
Fire Official	Christopher Willms
DPW Manager/Licensed Water Plant Operator	Michael McArthur
DPW Asst. Manager/Asst. Licensed Water Plant Operator	Trevor Palmer
Collection System Operator	Michael McArthur
Police Chief	Justin Macko
Police Captain	OPEN
Public Agency Compliance Officer (PACO)	James Gant
Public Works Assistant Manager	Trevor Palmer
Qualified Purchasing Agent	Amy Spera
Recycling Coordinator	Carol Baren (Brielle)
SMMUA Representative/Alternate	James Gant/Michael McArthur
SMRSA Representative (5 year term expires December, 2023)	F. Ken Farrell
Utility Collector	Brooke Koegel
Zoning Official/Code Enforcement Officer	Christopher Willms
Assistant Code Enforcement Officers	Michael McArthur
Board of Education Liaison	Dr. Maria Richman

BOARDS AND COMMISSIONS:		
PLANNING/ZONING BOARD		
Class I - Mayor	Don Fetzer	December 31, 2022
Class II - (1 year term)	Karen Brisben	December 31, 2022
Class III – (1year term)	Diane Anthony	December 31, 2022
Class IV – 4 year term	Carla Abrahamson	December 31, 2024
Class IV – 4year term -	Jake Casey	December 31, 2024
Class IV – 4 year term	Norman Hall	December 31, 2025
Class IV – 4 year term	Eileen Laszlo	December 31, 2024
Class IV- 4 year term	Robert Walker	December 31, 2022
Class IV – 4 year term	John Ward	December 31, 2024
Alternate #1 – 2 year term	Stan Koreyva	December 31, 2022
Alternate #2 – 2 year Term	Tom Britt	December 31, 2023

BOARD OF HEALTH		
Chairman	Diane Anthony	December 31, 2022

Member	James Gant	December 31, 2022
Member	Dawn Harriman	December 31, 2022
Member	OPEN	
Member	OPEN	
BOARD OF RECREATION COMMISSION (Five Year Term)		
Chairman	Michael D'Altrui	December 31, 2024
Member	Mark Leddy	December 31, 2026
Member	Jennifer Perry	December 31, 2024
Member	Lori Loughlin	December 31, 2024
Member	Kevin Reid	December 31, 2026
SHADE TREE COMMISSION (Five Year Term)		
Chairman	Robert Strang-Wolf	December 31, 2023
Member	Bill Drew (DPW)	December 31, 2023
Member	Alex Fatenko	December 31, 2023
Member	Clark Lydic	December 31, 2022
Member	Conrad Yauch	December 31, 2022
SHORE COMMUNITY ALLIANCE		
Member	Dr. Maria Richman	December 31, 2022
Member	Chief Justin Macko	December 31, 2022
Member	Rick Papera	December 31, 2022
LIBRARY BOARD OF TRUSTEES		
Member	Mayor Fetzer	December 31, 2023
Member	Susan Blasi	December 31, 2023
Member	Patricia Connor	December 31, 2023
Member	Jean McFadden	December 31, 2024
Member	James Mulvihill	December 31, 2024
Member	Devon Smith	December 31, 2025
Member	School Superintendent	June 30, 2024

E. OTHER APPOINTMENTS:

2022 Sea Girt Fire Company Roster:

Line Officers:

Chief of Department: William Loughran Jr.
 Assistant Chief: Brandon Fetzer
 Captain: Earl Ownes
 Second Lieutenant: Devon Clancy
 Second Lieutenant: Martin Minkowicz
 Chief Engineer: Edward Sidley
 Assistant Engineers: Robert Durna, William Baeszler, Pat Cavanaugh, Carl Scipione
 Fire Police Captain: Clark Lydic
 Fire Police Lieutenant: Wayne Dreyer

2022 Police Department

SLEO II:

Connor Maliff, Courtney Pearce, Ryan Bradford, Randolph Maccanico

SLEO I:

Thomas Murtha, Nicholas Stephan

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilperson				
Councilwoman Richman	X			

b. R-02-2022 – Reorganization Matters

UPON MOTION of Council President Anthony, seconded by Councilman Clemmensen, carried, that the following Resolutions be and the same are hereby adopted:

R-02.1-2022: Approving Conduct of Council Meetings

WHEREAS, the Governing Body of the Borough of Sea Girt recognizes the right of any member of the public to address the Council on matters of public concern, and wishes to ensure the orderly conduct of Council meetings in an atmosphere of civility and decorum, the following rules are established.

1. Any person wishing to address Council must first be recognized by the Mayor or presiding officer.
2. Upon being recognized such person shall advance to the lectern facing the Governing Body and, using the microphone, state his or her name and address.
 - A. Persons addressing Council shall be limited to 5 minutes for Public Participation (on agenda items), and shall confine their comments to the issue at hand.
 - i. This time limitation may be extended by the presiding officer in exceptional situations, or where the Mayor or presiding officer determines that the topic or circumstances warrant allotting more time for the speaker.
 - B. Persons addressing Council shall be limited to 5 minutes for Public Participation on any Subject.
 - C. Person addressing Council shall be limited to 4 minutes for Public Hearing comments.
3. All statements or questions shall be directed to the Council as a body and not to any individual Council member. No person other than a member of Council shall enter into any discussion with the person having the floor without the express permission the presiding officer.
4. Persons addressing Council may not approach the Council table without first obtaining permission from the presiding officer and shall not leave the lectern to disseminate any material to other members of the Public in attendance.
5. All statements or questions shall be expressed in a non-belligerent and civil manner, and no person addressing the council shall conduct him or herself in a boisterous manner, nor shall a person engage in any other behavior which disrupts or otherwise interferes with the conduct of a meeting.
6. Violation of any of these rules may result in a direction that the offending person resume his or her seat so that the meeting can proceed in an orderly manner, except that it the speaker shall submit to proper order under these rules, permission for him or her to continue may be granted by a majority of the Council.
7. Refusal to comply with these rules may result in the expulsion of the offender from the meeting.

8. At the request of the Mayor or presiding officer, the Sea Girt Police Department shall designate a member of the Department to serve as sergeant-at-arms at Council meetings and he or she shall carry out all orders and instructions given by the Mayor or presiding officer for the purpose of maintaining order and decorum at such meetings.
9. Each Council member shall cooperate with the Mayor and presiding officer in preserving order and decorum, and no member shall, by conversation or otherwise, delay or interrupt the proceedings of the Council, nor disturb any member, or fail to abide by the orders of the Mayor or presiding officer, unless granted permission to do so by the Mayor or presiding officer.

R-02.2-2022: Council Meeting Schedule

WHEREAS, it is required pursuant to the Laws of the State of New Jersey that the Governing Body of a municipality meet regularly at a place and time so designated or virtually via Zoom platform. The login information for each meeting shall be advertised at least 48 hours in advance by posting on the Borough website: www.seagirtboro.com.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt, that Regular Meetings of the Borough Council be held during 2022 as follows:

ANNUAL MEETING NOTICE

In compliance with the “Open Public Meetings Act (N.J.S.A. 10:4-6, et seq.) please find the following schedule of Regular Meetings for the year 2022. All meetings are open to the public, and all meetings may require that the Mayor and Council of the Borough of Sea Girt recess into Executive Session. These meetings will be held virtually via the Zoom platform at **7:00 PM** until further notice. Official action shall be taken at each of the meetings of the Sea Girt Borough Council. The meeting dates shall be as follows:

January 5, 2022	April 27, 2022	September 14, 2022
January 26, 2022	May 11, 2022	October 12, 2022
February 9, 2022	June 8, 2022	October 26, 2022
March 9, 2022	July 13, 2022	November 9, 2022
March 23, 2002	August 10, 2022	December 14, 2022

BE IT FURTHER RESOLVED that the 2023 Reorganization Meeting of the Borough Council will be held on January 4, 2023 at 7:00 PM; if an in person meeting is held, it will be at the Sea Girt Elementary School, Bell Place, Sea Girt; if the meeting is a virtual meeting, it will be held via the Zoom platform and meeting login information will be advertised and posted as required.

R-02.3-2022: Designate Official Newspapers – *Asbury Park Press & Coast Star*

WHEREAS, Section 3(d) of the open Public Meetings Act, Chapter 231, P.L. 1975, requires that notice of meetings be submitted to two (2) newspapers, designated as the official newspapers of the Borough.

R-02.4-2022: *The Coast Star* and *The Asbury Park Press* shall be designated as the official newspapers of the Borough of Sea Girt for the year 2022

BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that the Chief Financial Officer is hereby designated custodian of all funds of the Borough of Sea Girt and is directed to deposit such funds in one or more of the following banks, their successors or assigns, pending investment or reinvestment thereof:

Amboy Bank
Investors Savings Bank

Manasquan Bank
Provident Bank
TD Bank NA

BE IT FURTHER RESOLVED that the Chief Financial Officer is authorized to invest idle funds periodically, provided that he shall report such investment to the Governing Body in accordance with *N.J.S.A.* 40A:5-15 and such reports shall be noted in the Minutes of a Regular Meeting of the Governing Body.

R-02.5-2022: Authorize Depositories for Borough funds

BE IT RESOLVED, by the Council of the Borough of Sea Girt that the following Borough Officials are 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:

Karen Brisben, Don Fetzer, Amy Spera, Jane Hunnewell and James Gant

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

R-02.6-2022: Designate Signatories on Borough's Bank Accounts – Mayor, Clerk, Tax Collector and CFO

WHEREAS, the Borough Council of the Borough of Sea Girt has been asked by the Municipal Court, Tax, Licensing, Beach and Water and Sewer Depts. to adopt fees and charges according to law for returned checks and instruments payable to the Borough of Sea Girt and its public persons and related entities which are not in fact paid as a result of same failing to comply with appropriate provisions of the Banks upon which they are drawn and/or by reason including *N.J.S.* 40:5-18; and,

WHEREAS, the Borough Council deems it in the best interest of the Borough that these costs and charges should be paid by and passed on to the person or persons or entities writing said instruments and/or utilizing said instruments in an attempt to pay for services and/or fines and/or other obligations owing to the Borough of Sea Girt.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Sea Girt in the County of Monmouth and State of New Jersey does hereby adopt this Resolution setting forth as a fee for uncollected checks, checks with insufficient funds and other financial instruments and per *N.J.S.* 40:5-18 and other legal authority and the power therein set forth enabling a municipality to adopt and set said fee by Resolution and/or Ordinance and the Borough deeming it sufficient to do same by Resolution.

BE IT FURTHER RESOLVED that a Twenty-Five Dollar (\$25.00) fee shall be and is hereby set per check or other instrument for a service charge and same shall be payable to the Borough of Sea Girt and/or Municipal Court of the Borough of Sea Girt as appropriate and deposited in the appropriate accounts pursuant to law.

R-02.7-2022: Set the fee for non-negotiable instruments submitted to the Borough - \$25.00

WHEREAS, it has been deemed necessary to establish a change fund for the use of the Beachfront Office of the Beach Utility, and said fund will be maintained during the summer season and terminated at the close of the Beachfront Office in September; and,

WHEREAS, it has been deemed necessary to establish a change fund for the use of the Administrative and Collection Offices of the Borough of Sea Girt.

NOW, THEREFORE, BE IT RESOLVED, that a check be drawn to the Beach Cashier in the amount of Three Thousand Five Hundred Dollars (\$3,500.00) for the establishment of a Beachfront Change Fund.

BE IT FURTHER RESOLVED, that a check be drawn to the Municipal Clerk for use of the Borough Administrative and Collection Offices of the Borough of Sea Girt in the amount of One Hundred Dollars (\$100.00) for the continuation of a Municipal Operations and Tax Collections Change Fund.

R-02.8-2022: Authorize Change Funds – Beach, Administrative Offices

WHEREAS, due to the meeting schedule of the Mayor and Council, the payment of certain bills is occasionally necessary in advance of the Regular Meeting date.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt that the authorized signatories are hereby authorized to sign checks for the following purposes, subject to approval at the next meeting of Council, and subject to the availability of funds:

1. *School Taxes*
2. *County Taxes*
3. *Payrolls – all obligations*
4. *Health Benefits*
5. *Insurance Premiums*
6. *Employee related contractual obligations, garnishments, liens, unemployment, etc.*
7. *Postage – replenish meter*
8. *Recreation Trust Fund Expenses*
9. *Debt Service*
10. *Petty Cash Fund*
11. *Petty Cash Fund – replenish fund*
12. *Gasoline Purchases*
13. *Trust Fund – TTL Redemptions*
14. *Government Fees, Applications, Etc.*
15. *Dated Bills carrying Interest or Late Charges*

R-02.9-2022: Authorize Payment of Certain Bills Prior to Council Meetings

WHEREAS, property taxes are due and payable according to law, on the first of February, May, August and November of the calendar year; and,

WHEREAS, pursuant to the provisions of *N.J.S.A. 54:4-67*, the governing body of the Borough of Sea Girt has determined that it is appropriate to set a grace period for the payment of taxes until the 10th day of February, May, August and November after which the payments shall become delinquent with interest due and payable from the first day of the quarter; and,

WHEREAS, Chapter 75, P.L. 1991, provides for a six percent flat penalty at the close of the fiscal year to be charged on delinquencies over \$10,000; delinquencies being defined as all unpaid property taxes and municipal charges;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt, that the Tax Collector shall charge interest on delinquent taxes from the date that same were first due and payable at 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00.

BE IT FURTHER RESOLVED, that the Borough Council authorizes the Tax Collector to charge a six (6%) percent flat penalty at the close of 2022 on delinquencies over \$10,000.00.

R-02.9-2022: Set Grace Period for Property Tax Payments; set interest rates for Delinquent Property Tax Payments

WHEREAS, property taxes are due and payable according to law, on the first of February, May, August and November of the calendar year; and,

WHEREAS, pursuant to the provisions of *N.J.S.A. 54:4-67*, the governing body of the Borough of Sea Girt has determined that it is appropriate to set a grace period for the payment of taxes until the 10th day of February, May, August and November after which the payments shall become delinquent with interest due and payable from the first day of the quarter; and,

WHEREAS, Chapter 75, P.L. 1991, provides for a six percent flat penalty at the close of the fiscal year to be charged on delinquencies over \$10,000; delinquencies being defined as all unpaid property taxes and municipal charges;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt, that the Tax Collector shall charge interest on delinquent taxes from the date that same were first due and payable at 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00.

BE IT FURTHER RESOLVED, that the Borough Council authorizes the Tax Collector to charge a six (6%) percent flat penalty at the close of 2022 on delinquencies over \$10,000.00.

R-02.10: Cash Management Plan

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Sea Girt County of Monmouth, New Jersey, that for the year 2022 the following shall serve as the Cash Management plan of the Borough of Sea Girt.

The Chief Financial Officer is directed to use this cash management plan as the guide in depositing and investing the Borough of Sea Girt funds.

The following are suitable and authorized investments.

Interest-bearing bank accounts and certificates of deposit in authorized banks, listed below, for deposit of local unit funds.

Government money market mutual funds as comply with N.J.S.A 40A:5-15.1 (e)

Local government investment pools which pools which comply with N.J.S.A. 40A:5-15.1 (e) and conditions set by the Division of Local Government Services.

New Jersey State Cash Management Fund.

Repurchase agreements (repos) of fully collateralized securities which comply with N.J.S.A. 40A:5-15.1 (a)

The following Government Unit Depository Protection Act approved banks are authorized depositories for the deposit of funds.

Manasquan Savings Bank

205 Main Street
Manasquan, NJ 08736

The Chief Financial Officer, and/or the Borough Administrator, is authorized to direct payments for the following disbursements which shall be ratified by the Governing Body at a subsequent meeting:

- Debt Service
- County and School tax obligations
- Inter-Fund obligations
- Purchase of Investments
- Payroll Salaries and Wages and related payroll taxes and authorized deductions
- Postage, insurance premiums and assessments, and utility expenses
- Federal, State government agency taxes, permit, license and other fees

The CFO shall report to the governing body any account that does not earn interest.

R-02.11: Cash Management Policy

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Sea Girt, County of Monmouth, New Jersey, that the Chief Financial Officer shall administer the cash management plan adopted on January 5, 2022 through compliance with 40A:5-1 et seq., prudent application of these cash management policies, which shall not conflict the plan in any way.

I. Objectives: the priority of investing practices shall be, in order of descending importance, **security, liquidity, and yield.**

A. **Security:** The safety of principal is the foremost objective of the cash management plan. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective is to mitigate credit risk and interest rate risk.

1. **Credit Risk:** Credit risk is the risk of loss due to failure of the security issuer or backer. Credit risk may be mitigated by:
 - a. Limiting investments to the safest types of securities.
 - b. Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisors with which an entity will do business.
2. **Interest Rate Risk:** Interest rate risk is the risk that the market value of the securities in the portfolio will fall due to changes in general interest rates. Interest rate risk may be mitigated by:
 - a. Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and
 - b. By investing operating funds primarily in shorter-term securities.

B. **Liquidity:** The portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. Investments of various funds should be structured so that they match the potential need. Thus, investments of operating funds should be kept in investments with a maturity of not more than one year. Investments of a capital, or long term trust fund nature should match the expected use of the funds, but not to exceed five years. Investments should consist of securities with active secondary markets or in mutual funds that permit liquidation at net asset value. Securities shall not be sold prior to maturity with the following exceptions:

1. A declining credit security could be sold early to minimize the loss of principal.
2. A security swap would improve the quality, yield, or target duration in the portfolio.

3. Liquidity needs of the local unit require that the security be sold.

- C. **Yield:** The investment portfolio must be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objectives described above. The core of investments is limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. The chief financial officer shall carefully evaluate the legality, security, and yield attributes of any investment offering above market yields.

II. Standards of Care

A. Prudence

The standard of prudence to be used by investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio in accordance with State law and this policy. Chief financial officers acting in accordance with the cash management plan and policy shall be relieved of any liability for loss of such moneys due to the insolvency or closing of any depository designated by, or the decrease in value of any investment authorized by, the cash management plan.

Investment shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

B. Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall not have personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material investment in financial institutions with which they conduct business. They shall disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of their entity. Personnel involved in investment activities shall comply with the Local Government Ethics Law.

C. Delegation of Responsibility and Authority

Responsibility and authority to manage the cash management plan and policy is granted to the chief financial officer pursuant to N.J.S.A. 40A:5-14. No person may engage in an investment transaction except as provided under the terms of the policy and the written procedures established by the chief financial officer. The chief financial officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

III. Safekeeping and Custody

A. Authorized Banks for Deposit of Governmental Funds

The cash management plan shall list all authorized banks for deposit of governmental funds. Only banks approved by the Department of Banking and Insurance under the Government Unit Depository Protection Act (GUDPA) can be approved depositories.

B. Internal Controls

1. The governing body shall act to provide that the agency has an internal control structure that is established, defined and maintained to ensure that the assets of the entity are protected

from loss, theft or misuse. The chief financial officer shall develop written internal controls and submit them to the governing body for approval. The internal control structure shall be designed to provide reasonable assurance that the assets of the entity are protected from loss, theft or misuse. The concept of reasonable assurance recognizes that:

- a. the cost of a control should not exceed the benefits likely to be derived.
- b. the valuation of costs and benefits of internal controls requires estimates and judgments by management.

C. Delivery vs Payment

All trades where applicable will be executed by delivery vs payment (DVP). This ensures that securities are deposited in the eligible financial institution prior to the release of funds. Securities will be held by a third party custodian as evidenced by safekeeping receipts.

IV. Policy

The cash management plan must be approved by the governing body, by resolution, on an annual basis, and may be amended at any time during the year to reflect changes due to changes in laws, depositories, funds or investments.

R-02.12-2022: Permit Tax Collector and Chief Financial Officer to Cancel Small Balances or Process Refunds Less than \$10 with no further action of Council

WHEREAS, P.L. 1983, c.568, permits the governing body to authorize a municipal employee to cancel a small balance or process a property tax refund of less than \$10.00 with no further action of the governing body required; and,

WHEREAS, P.L. 2013, C.54 effective May 9, 2013 (amending P.L. 1983, c.568) permits the governing body to authorize a municipal employee to cancel a small balance or process a refund of fees and charges imposed by the municipality of less than \$10.00 with no further action of the governing body required.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that Tax Collector and Chief Financial Officer, be and they are hereby authorized to cancel small balances or process refunds of fees and charges imposed by the municipality of less than \$10.00 with no further action of the Borough Council required.

R-02.13-2022 - Set Fee for Individual Meeting Notice

WHEREAS, Section 14 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the public body to fix a reasonable sum to be charged to persons who request that notice of meetings as required under the Act be mailed to them individually; and;

WHEREAS, said sum is to cover the costs of providing such notice; and;

WHEREAS, said section further permits the public body to provide such notices free of charge to news media who so request said notice.

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. Each person who requests that individual notice as required under the Act be mailed to him or her shall pay annually to the Borough of Sea Girt the sum of \$25.00 to cover the costs thereof.

2. Requests for such individual notice made by news media shall be granted without cost.
3. The sum herein designated is subject to change upon the adoption of a superseding resolution by this public body.

R-02.14-2022: Providing Defense Fees for Police

WHEREAS, *N.J.S.A.* 40A:14-155 provides that the governing body of a municipality shall provide police officers with the necessary means of defense of an action or proceeding brought against them arising out of and directly related to the lawful exercise of police powers and in the furtherance of his official duties;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Sea Girt that the Public Safety Sub-Committee is authorized to consent to a police officer's request for representation by private defense counsel provided, however, that the Borough of Sea Girt will be responsible for the payment of the attorney's fees only if it is determined that the acts charged against him were directly related to the lawful exercise of police powers in the furtherance of the officer's official duties. In no event will such fees exceed \$200.00 per hour for preparation and consultation or \$750.00 per court appearance.

R-03-2022: Award Non-Fair and Open Professional Services Contract Auditor – Robert A. Hulsart of the firm Robert A. Hulsart and Company

WHEREAS, the Borough of Sea Girt has a need to acquire the services of an Auditor to conduct the 2021 audit, as a non-fair and open contract pursuant to the provisions of *N.J.S.A* 19:44A-20.4 or 20.5.; and,

WHEREAS, the Borough Clerk has determined and certified in writing that the value of the services to be provided will exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is 1 year and may be extended as many times as approved by this governing body; and

WHEREAS, Robert A. Hulsart, of Robert A. Hulsart & Co.; Municipal Auditor, Accounting Services; has submitted a proposal dated 12/14/2021 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, with regards to Affirmative Action, incorporated into such agreement shall be the mandatory language of Section 5.3 of the regulations promulgated by the Treasurer of the State of New Jersey pursuant to P.L. 1975, and

WHEREAS, funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Sea Girt authorizes Don Fetzer, Mayor and the Municipal Clerk to enter into a contract with the professional as described herein.

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

R-04-2022: Award Non-Fair and Open Professional Services Contract – Bond Counsel – John Cantalupo of Archer & Greiner

WHEREAS, the Borough of Sea Girt has a need to acquire the services of a Bond Counsel, as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4* or *20.5*; and

WHEREAS, the Borough Clerk has determined and certified in writing that the value of the services to be provided will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year and may be extended as many times as approved by this governing body; and

WHEREAS, John Cantalupo of the firm Archer & Greiner, Red Bank, NJ submitted a proposal dated December 10, 2021 indicating that he will provide said services and has also provided a Business Entity Disclosure Certification which certifies that he 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, with regards to Affirmative Action, incorporated into such agreement shall be the mandatory language of Section 5.3 of the regulations promulgated by the Treasurer of the State of New Jersey pursuant to P.L. 1975, and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose.

**R-05-2022: Award Non-Fair and Open Professional Services Contract – Borough Attorney
– Raymond Bogan of the firm Sinn, Fitzsimmons, Cantoli, Bogan, West & Steuerman, P.A.**

WHEREAS, the Borough of Sea Girt has a need to acquire services of a Borough Attorney, through a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4* or *20.5*; and,

WHEREAS, the Borough Clerk has determined and certified in writing that the value of the services to be provided will exceed \$17,500.00; and,

WHEREAS, the anticipated term of this contract is 1 year and may be extended as many times as approved by this governing body; and

WHEREAS, Raymond Bogan of the firm of Sinn, Fitzsimmons, Cantoli, Bogan and West, & Steuerman, P.A. has submitted a proposal dated December 10, 2021 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, the Chief Financial Officer has certified that provision for the contract shall be made in the appropriation Legal Services, Contractual in the 2022 Temporary Budget and 2022 Budget as finally adopted.

NOW THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Sea Girt authorizes the Mayor and Borough Clerk to enter into a contract with the professional as described herein.

**R-06-2022: Award Non-Fair and Open Professional Services Contract– Labor Attorney –
Mark S. Ruderman of the firm Ruderman and Roth**

WHEREAS, the Borough of Sea Girt has a need to acquire services for a Borough Labor Attorney, as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4* or *20.5*; and

WHEREAS, the Borough Clerk has determined and certified in writing that the value of the services to be provided will exceed \$17,500.00; and,

WHEREAS, the anticipated term of this contract is 1 year and may be extended as many times as approved by this governing body; and,

WHEREAS, Mark Ruderman of the firm of Ruderman and Roth, LLC has submitted a proposal dated December 13, 2021 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, with regards to Affirmative Action, incorporated into such agreement shall be the mandatory language of Section 5.3 of the regulations promulgated by the Treasurer of the State of New Jersey pursuant to P.L. 1975, and,

WHEREAS, the Chief Financial Officer has certified that provision for the contract shall be made in the appropriation entitled Legal Services, Contractual in the 2022 Temporary Budget and the 2022 Budget as finally adopted.

R-07-2022: Award Non-Fair and Open Professional Services Contract–Municipal Prosecutor, James Carton, IV

WHEREAS, there exists a need for the professional services of a Borough Prosecutor; and,

WHEREAS, provision for this contract will be made available in an appropriation entitled “Municipal Court, Contractual Services” in the 2022 temporary budget and the 2022 budget as finally adopted; and,

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-1 et. seq.*) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids must be advertised within ten (10) days of the date of adoption and the contract itself must be available for public inspection.

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

1. The Borough Council of the Borough of Sea Girt hereby appoints James V. Carton, IV as the Prosecutor for the Borough of Sea Girt for the period January 1, 2022 through December 31, 2022, inclusive and until his successor be appointed.
2. This contract is awarded without competitive bidding as a “Professional Service” in accordance with *N.J.S.A. 40A:11-5(1)(a)* of the Local Public Contracts Law. James V. Carton, IV is authorized by law to practice a recognized profession in the State of New Jersey.

R-08-2022: Award Non-Fair and Open Professional Services Contract, Alternate Municipal; Prosecutors: Susan DeSimone, Paul Granick, Sean Kean, and Michael Lynch

WHEREAS, there exists a need for the professional services of an Alternate Borough Prosecutor; and,

WHEREAS, provision for these services will be made available in an appropriation entitled “Municipal Court, Contractual Services” in the 2022 temporary budget and the 2022 budget as finally adopted; and,

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-1 et. seq.*) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids must be advertised within ten (10) days of the date of adoption and the contract itself must be available for public inspection.

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

1. The Borough Council of the Borough of Sea Girt hereby appoints Ronald Sage as the Alternate Municipal Prosecutor for the Borough of Sea Girt for the period January 1, 2022 through December 31, 2022, inclusive and until his successor be appointed.
2. This contract is awarded without competitive bidding as a “Professional Service” in accordance with *N.J.S.A. 40A:11-5(1)(a)* of the Local Public Contracts Law. Ronald Sage is authorized by law to practice a recognized profession in the State of New Jersey.
3. A copy of the contract shall be made available for public inspection at the Borough Clerk’s Office during regular office hours.

R-09-2022: Award Non-Fair and Open Professional Services Contract, Public Defender, Donald Greer

WHEREAS, there exists a need for the professional services of a Public Defender to provide services to indigent defendants of the Borough of Sea Girt Municipal Court; and,

WHEREAS, provision for these services will be made available in an appropriation entitled “Municipal Court, Contractual Services” in the 2022 temporary budget and the 2022 budget as finally adopted; and,

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-1 et. seq.*) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids must be advertised within ten (10) days of the date of adoption and the contract itself must be available for public inspection.

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

1. The Borough Council of the Borough of Sea Girt hereby appoints Donald Greer as the Public Defender for the Borough of Sea Girt for the period January 1, 2022 through December 31, 2022, inclusive and until his successor be appointed.
2. This contract is awarded without competitive bidding as a “Professional Service” in accordance with *N.J.S.A. 40A:11-5(1)(a)* of the Local Public Contracts Law. Donald Greer is authorized by law to practice a recognized profession in the State of New Jersey.
3. A copy of the contract shall be made available for public inspection at the Borough Clerk’s Office during regular office hours.

R-09.1-2022: Appoint Alternate Municipal Borough Prosecutors

WHEREAS, there exists a need for the professional services of an Alternate Borough Prosecutors in the event that the Borough Prosecutor is unable to appear; and,

WHEREAS, provision for this contract will be made available in an appropriation entitled “Municipal Court, Contractual Services” in the 2022 temporary budget and the 2021 budget as finally adopted; and,

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-1 et. seq.*) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids must be advertised within ten (10) days of the date of adoption and the contract itself must be available for public inspection.

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

1. The Borough Council of the Borough of Sea Girt hereby appoints Susan DeSimone, Paul Granick, Sean Kean, Michael J. Lynch, Jason Shamy as the Alternate Prosecutors for the Borough of Sea Girt for the period January 1, 2022 through December 31, 2022, inclusive and until their successors be appointed.
2. This contract is awarded without competitive bidding as a “Professional Service” in accordance with *N.J.S.A. 40A:11-5(1)(a)* of the Local Public Contracts Law. Each person listed is authorized by law to practice a recognized profession in the State of New Jersey.

R-10-2022: Employee Assistance Program Contract – Dr. White

WHEREAS, this contract is awarded without competitive bidding as “Professional Service” under the provisions of the Local Public Law.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Sea Girt that Mark White, Ph.D, P.A. is hereby appointed Employee Assistance Program for the Borough of Sea Girt for the one-year term through December 31, 2022 and until his successor be appointed.

R-11-2022: To Adopt Temporary Budget – Current, Water and Utility Fund; Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth that the following appropriations be approved pursuant to the attached schedule and that a certified copy of this resolution be supplied to the Chief Financial Officer for his information and further action. Schedule is attached to these minutes.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilperson				
Councilwoman Richman	X			

6. OTHER BUSINESS – none at this time

7. PUBLIC PARTICIPATION ON CONSENT AGENDA –

Tom Schnurr, Beacon Boulevard asked if the Chairman of the Planning Board is designated tonight or during a Planning Board meeting. Mayor Fetzer responded it will take place during the Planning Re-org meeting on January 19th.

Mayor Fetzer noted the change for persons addressing Council shall be limited to 5 minutes for Public Participation on any subject.

8. ADJOURN to Regular Meeting - UPON MOTION of Councilman Clemmensen, seconded by Council President Anthony, carried, that the Re-Organization meeting be adjourned at 7:40 pm. The Borough Council moved immediately to the Agenda for the Regular Meeting.

The Municipal Clerk confirmed the presence of all Councilpersons

10. APPROVE MINUTES

- a. **Resolution No. 12-2022:** Approve Minutes, December 8, 2021 Regular Meeting - Virtual

UPON MOTION of Council President Anthony, seconded by Councilman Perry, carried, that the Minutes of the Virtual Regular Meeting held December 8, 2021 be and the same are hereby approved.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin				X
Council President Anthony	X			
Councilperson				
Councilwoman Richman	X			

11. OPEN DISCUSSION

Council President Anthony thanked Councilwoman Giegerich for her time on council. She contributed greatly as the Chairperson of Personnel and Library Committees; she also served as a member on the Beach, Buildings and Grounds, and Environmental Committees; she worked tirelessly on these committees; she is a true leader and wonderful to work with.

Councilman Perry and Councilman Clemmensen also commented that her efforts as Councilwoman were commendable and greatly appreciated.

Mr. Zakin thanked his wife and son for their support; he commented he appreciated the service of former Mayor Farrell, and councilpersons Mastroilli, Begley and Giegerich. He looks forward to serving the residents and his committees.

12. OLD BUSINESS - none

13. NEW BUSINESS

A. Ordinances – introduction

- i. **Ordinance No. 01-2022:** The Mayor to read the Ordinance No. 01-2022 by Title:

ORDINANCE NO. 01-2022

CALENDAR YEAR 2022 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET

APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) IN THE BOROUGH OF SEA GIRT, MONMOUTH COUNTY, NEW JERSEY

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

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

WHEREAS, the Borough Council of the Borough of Sea Girt in the County of Monmouth finds it advisable and necessary to increase its CY2022 budget by up to 3.5% over the previous year's final appropriations in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$57,591.72 in excess of the increase in final appropriations otherwise permitted by the local Government Cap Law is advisable and necessary; and,

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

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Sea Girt, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that in the CY2022 budget year, the final appropriations of the Borough of Sea Girt shall, in accordance with this Ordinance and *N.J.S.A. 40A:4-45.14*, be increased by 3.5%, amounting to \$201,571.01 and that the CY2022 municipal budget for Borough of Sea Girt be approved and adopted in accordance with this Ordinance.

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

BE IT FURTHER ORDAINED that a certified copy of this Ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction.

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

UPON MOTION of Councilman Clemmensen, seconded by Councilman Perry, carried, that the said Ordinance 01-2022 be and the same is hereby adopted on first reading, directing the Clerk to post and publish as required by law and setting the date of the public hearing as January 26, 2022.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilperson				
Councilwoman Richman	X			

- B. **Resolution No. 13-2022:** Authorize Agreement for Animal Control Services, Associated Humane Societies, Inc., \$6,000.00

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

WHEREAS, the Borough of Sea Girt is in need of animal control services for the municipality; and,

WHEREAS, Sea Girt Borough has entered into animal control agreements previously and wishes to renew its contract for the year 2022; and,

WHEREAS, the Associated Humane Societies, Inc. of Newark, NJ with offices in Tinton Falls, NJ has agreed to provide animal control services as outlined in their contract effective January 1, 2022 through December 31, 2022, inclusive; and,

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

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

- That is contract shall be in the amount of \$6,000.00 for the year; with payments of \$500.00 monthly.
- That the Mayor and Clerk are authorized to execute the Agreement between the Associated Humane Societies, Inc. and the Borough.

C. **Resolution No. 14-2022:** Appoint Class II Special Law Enforcement Officer's

UPON MOTION of Councilman Clemmensen, seconded by Council President Anthony, 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 additional Class II Special Law Enforcement Officer's to support its 2022 operations; and,

WHEREAS, the Chief of Police has reviewed the applications and references of qualified candidates, and recommends the following appointments to attend Monmouth County Police Academy 53rd Basic Course for Class II Special Law Enforcement Officers beginning January 10th through June 1, 2022:

Sara Koch
Valerie Vacchiano
Joseph Piscopo
Gabrielle DeGroat
Derek Carmignani
James Belknap

and,

NOW, THEREFORE, BE IT RESOLVED that the above candidates be appointed as Class II Special Law Enforcement Officers for the Borough of Sea Girt, at the hourly rate of \$15.00 per hour during in service training and upon completion of the Academy effective January 10th through June 1, 2022.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilperson				
Councilwoman Richman	X			

14. COUNCIL REPORTS: Councilman Zakin has no report.

Councilman Clemmensen reported DPW will continue with Borough wide recycling through January 12th; the regular schedule continues January 19th; he asked residents that in the case of snow to please remove their cars from the street to allow snow plows to access the roads. Crescent Parkway mailbox has been compromised; the Postmaster is working hard to upgrade to a more secure drop box; he encourages residents to send a letter to Congressman Smith for his support upgrading to a secure mailbox in the Borough. Chief Macko commented this is happening throughout the tri-state area; he suggests using the mailbox between 8 am – 4:30 pm, Monday through Friday where the mail is being monitored.

Councilman Perry reported there is a Patriot Polar Plunge on February 5th at 10:30 am which benefits the Lift Organization (Local Initiative for Troops); please register online at www.seagirtboro.com. The Sea Girt Recreation Tree donation has reached its goal and raised \$10K which will go towards planting of trees in Crescent and Edgemere Parks.

Councilwoman Richman reported the BABES Program will be at the Manasquan Elementary School starting in January; PEER Leaders Day is January 10th at First Presbyterian Church for 8th graders in all districts; they are preparing for a Spring Lake Heights parents program in February with a focus on vaping and marijuana education. BOE re-organization meeting is January 6th.

Council President Anthony reported the State of New Jersey is on high alerts regarding Covid-19; she reminded the public to be cautious and stay well. The Bike Path is scheduled to start this week; she thanked residents for their patience; Building and Grounds Committee will meet soon to discuss the municipal building as well and Police and Fire Departments.

Mayor Fetzer reported he attended a productive PBA negotiations meeting in December; he noted there is item on the bill list for \$630,000.00 for the purchase of new fire truck which is near completion; the check will be released once the truck is approved by the Fire Chief, Carl Scipione and Truck Committee. A new fire hydrant has been installed on Second Avenue near Crescent Park; this will provide additional water supply to aid any emergencies. He also noted he attended the Re-Org Meeting for the Library and they are preparing their budget and capital plan for their second year. He also noted that the \$630,000.00 is being shared by the Borough (25% or \$157,500) he thanked the residents for their support.

15. ADMINISTRATIVE REPORT

Mr. Gant thanked Councilwoman Giegerich for her support; he congratulated the newly elected officials and appointments; 2022 Borough Calendars will be mailed directly to all residents; extra copies will be available at the Borough Hall. He thanked Tim Harmon and Rick Lyster for their efforts submitting a FEMA grant for approximately \$24,000.00. The water/sewer utilities shut off moratorium has been extended through March 15, 2021. He stated the Borough did not receive the Nation Wide Reeve Foundation Grant for beach ADA access, but will re-apply in 2022.

16. Resolution No. 15-2022: Payment of Bills

BE IT RESOLVED, by the Borough Council of the Borough of Sea Girt, County of Monmouth that the bills be paid as appearing on the attached bill list dated December 23, 2021 in the totals as follows:

CURRENT FUND	\$ 88,326.68
WATER/SEWER OPERATING FUND	\$ 10,206.09
BEACH OPERATING FUND	\$ 10,734.95
RECREATION TRUST FUND	\$ 6,824.49
TRUST	\$ 770.00
GENERAL CAPITAL	\$ 643,012.50
WATER CAPITAL	\$ 7,697.50

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilperson				
Councilwoman Richman	X			

17. PUBLIC PARTICIPATION ON ANY SUBJECT (Comments limited to 5 minutes)

The following persons voiced their opinion in opposition of Improvements to Crescent Park Racquet Sports Recreation Area:

- Sharon Kregg, Brooklyn Boulevard;
- Kim Paterson, New York Boulevard;
- Diane Raver, Boston Boulevard;
- Gordon Clark, First Avenue;
- Ms. Raver, Boston Boulevard;
- Charlotte Squarcy, Trenton Boulevard;
- Fred Marziano, New York Boulevard;
- Susan Sharp, Stockton Boulevard;
- Lynn Ward, Trenton Boulevard;
- Eileen Laszlo, Philadelphia Boulevard;
- Cathy Brennan, Brooklyn Boulevard;
- Judy Gately, Trenton Boulevard;
- Robert Kregg, Boston Boulevard;
- Henry Bossett, Chicago Boulevard;
- Megan Pacetti, Washington Boulevard;
- Sheila Melly, Ocean Avenue;
- James Plaia and Geraldine O'Keefe, Seaside Place;
- Paul Chowansky, 508 Brooklyn Boulevard;

Councilman Perry stated for the record that public tax dollars are not being used for an additional paddle court in Crescent Park. 100% of the cost will come from the Recreation Trust.

Mayor Fetzer responded to Mrs. Sharpe that a referendum will be taken under consideration.

Ray Bogan addressed the library referendum was due to a considerable incursion of debt; as a result by statute there is a provision that allows for a referendum. He noted council has been open and transparent throughout this process and will continue to do so fairly.

- Larry O'Connell, Boston Boulevard asked if other alternatives were considered using Recreation Trust monies such as ADA access to the beach and what criteria will council use to evaluate this investment. Mr. Gant responded ADA compliance is managed through the boroughs beach budget and potential grant sources. Mayor Fetzer responded council has considered other options for a paddle court and other aspects within town.

Councilman Perry clarified on going costs for paddleball courts are being paid through the Recreation Trust. Ongoing gas, electric and maintenance is not the responsibility of the tax payer, but are paid through permit fees. Recreation Trust Funds are used to benefit several projects within the community.

Councilman Zakin commented that the Improvements to Crescent Park process is still being reviewed; councilmembers will have a second opportunity to review final plans and budget proposals once received from The Recreation Committee; the public will have the opportunity during a public hearing to discuss.

Council President Anthony commented The Sea Girt Conservancy and the Borough Committees work diligently together cleaning up and removing non evasive vines in our parks; ongoing enhancements will continue in our parks and greenspaces.

There being no further comments from the public and by consensus, the public hearing was closed at 9:25 PM. Mayor Fetzer advised that Council has matters to discuss in Executive Session, and requested a motion to adjourn for purposes of the discussion; he further noted that action may be taken by Council upon return to public session and that the public is invited to remain outside and may return to the meeting room when the Council returns to public session. **UPON MOTION** of Councilman Perry, seconded by Councilman Zakin, carried, that the following **Resolution No. 16-2022** be and the same is hereby adopted:

WHEREAS, Section 8 of the Open Public Meeting Act, N.J.S.A. 10:4-12 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.

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 matter(s) to be discussed is EMS Services, but not limited to personnel;
3. It is anticipated at this time that the subject matters will be made public, if and when, confidentiality is no longer necessary. Action may be taken upon return to public session.
4. This Resolution shall take effect immediately.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			
Councilperson				
Councilwoman Richman	X			

The Council returned to public session at 10:55. Borough Attorney, Ray Bogan advised that during the Executive Session, Council discussed EMS Services. **UPON MOTION** of Councilman Clemmensen, seconded by Council President Anthony, carried, the following **Resolution No. 17-2022** be and the same is hereby adopted:

BE IT RESOLVED by the Borough Council of Sea Girt that Borough Attorney, Ray Bogan and The Public Safety Committee be and are hereby directed to further examine, engage and give guidance to further discuss and pursue EMS Services for The Borough of Sea Girt.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Zakin	X			
Council President Anthony	X			

Councilperson				
Councilwoman Richman	X			

UPON MOTION of Councilman Clemmensen, seconded by Council President Anthony, carried, the following **Resolution No. 18-2022** be and the same is hereby adopted:

UPON MOTION of Council President Anthony, seconded by Councilman Clemmensen, carried, that The Personnel Committee authorizes Mr. Bogan to move forward with the implementation of the employment contract for Administrator, James Gant.

Recorded Vote:

	Ayes	Nays	Absent	Abstain
Councilman Clemmensen	X			
Councilman Perry	X			
Councilman Begley	X			
Council President Anthony	X			
Councilperson				
Councilwoman Richman	X			

Clerk There being no further business, and **UPON MOTION** of Councilman Clemmensen, seconded by Councilman Perry carried, that the meeting be finally and immediately adjourned at 11:00PM.

Dawn Harriman

Dawn Harriman, RMC
Municipal